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The Alaska boundary

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RAMBOINE AND  
NORTHEASTERN RAILROAD  
RAMBOINE CITY OF CALIF



C. E. Baker

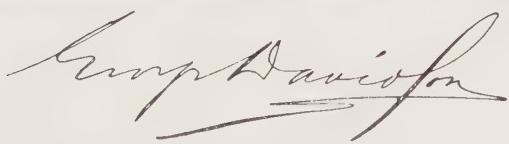








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Honorary Professor of Geodesy and Astronomy and Professor of Geography

in the University of California,

Etc., Etc., Etc.







THE  
ALASKA BOUNDARY

cop. 1

GEORGE DAVIDSON  
PRESIDENT OF THE GEOGRAPHICAL SOCIETY OF THE PACIFIC,  
ETC., ETC.

PUBLISHED BY  
ALASKA PACKERS ASSOCIATION  
SAN FRANCISCO  
1903



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## LETTER OF TRANSMISSION.

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San Francisco, Cal., August, 1903.

ALASKA PACKERS ASSOCIATION,

SAN FRANCISCO:

*Dear Sirs:*—I herewith transmit the paper which I engaged to write upon the Alaska Boundary.

It looks very long, but I wished to sustain every statement by an appeal to charts, maps, official documents, special papers, pro and con, and whatever would add authority to the investigation.

I have named the authorities, and in critical points have used the original French text of the letters and documents that passed between the Plenipotentiaries of Russia and Great Britain, preceding the date of the Convention of 1825; and which, in part, were used in the Fur Seal Arbitration of 1892.

As I believe great weight will be given to a strict construction of the French texts of the Convention of 1825, and the Treaty of 1867, I have introduced each document with the French and English texts in parallel columns; and have freely criticised the weak and unequivalent English translation. I understand that the French draft only was signed; certainly French was the diplomatic language of the earlier period.

I have given some space to the inside or secret history of the Negotiations of 1825. The boundary incident of the Convention was confessedly a struggle between the two great fur companies, Russian and British.

I have criticised the misquotations of the Canadian authorities in several cases; and have referred to the British Columbia map of 1895 wherein the great mountains north of Lynn Canal are “washed out”; and have shown the progress of Canadian contention since 1885 by their maps and written opinions.

Great Britain has no claim whatever to the lisière or border of the country surrounding the Archipelago. The narrowest part of that lisière will likely be at the highest parts of the White and Chilkoot Passes; and the thirty miles limit will cross the Chilkahlt River more than fifteen miles beyond the *modus vivendi* line of 1899.

I have shown how the boundary line may be laid down upon a properly authorized map; and have then explained how it may be arbitrarily and prominently marked by natural objects, thus forming a broken line boundary nearly coincident with the curved boundary line. A little "give and take" by both countries would soon settle the whole trouble.

I have summed up very briefly in stating that the decision of sovereignty over the lisière will largely depend upon a strict construction of the French text with the Charts and Narrative of Vancouver before the tribunal; and for other reasons.

I have not hesitated to assert that the United States has an impregnable right to the territory and the dominion thereof; and that this is a question that should never have been submitted to arbitration.

Yours with great respect,

GEORGE DAVIDSON.

PUBLISHER'S NOTE.

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The valuable paper prepared by Professor Davidson upon the ALASKA BOUNDARY (originally intended for private use) is of such inestimable worth as an historical and geographical treatise on that subject, that we have concluded to publish it, with the assurance that the public will not fail to appreciate the labors of the venerable Author, whose comprehensive and scientific learning and indomitable energy have been so faithfully exemplified.

ALASKA PACKERS ASSOCIATION.

San Francisco.



# THE ALASKA BOUNDARY.

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## PERSONAL.

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Early in 1867, while in the service of the United States Coast Survey, we were assigned the duty of taking a scientific party to Alaska to make a geographical reconnaissance of the coast wherever practicable; and to report upon the physical features and resources of the country so far as the short season would permit.

We had been acquainted with the geography of the whole Puget Sound region through six seasons of geodetic work (1852-57); and in 1867 we made the trip to Alaska from Victoria through the interior channels of British Columbia to Fort Simpson, Sitka, the head waters of Lynn Canal; to the Kadiak group, and to Unalaska. Thence back to Sitka and through the Archipelago Alexander. Our party was transported by the United States revenue steamer *Lincoln*.

In 1867-68, upon our return, we were called into conference with Secretary of State Seward and Secretary of the Treasury McCullough; appeared before the Foreign Relations Committee of the Senate, and the Ways and Means Committee of the House of Representatives; conferred with Senator Sumner and others; and, by invitation of the National Academy of Sciences, appeared at the annual meeting to relate, in brief, the chief points of scientific interest which we had gathered. So much interest had been excited by the purchase that we had many calls for magazine and newspaper articles.

In 1869, we were again ordered to Alaska to observe the total Solar eclipse of August 7th, 1869, with instructions to gather such geographical information as was practicable, and to learn further of the resources of the country. We left Sitka with a boat load of instruments, and a war canoe load of provisions and camping materials. We had a Sitka chief and five Sitka Indians for the canoe work. We were eleven days in reaching the village of Klu-kwan' on the Chilkaht River, and the highest of the villages. We were fired upon three times in going up the river, and, although well armed, we showed no resistance.

Ex-Governor Seward arrived at the mouth of the Chilkahat two days before the eclipse, and we sent a swift canoe down to bring him up. He was received with great gravity and ceremony by Koh-klux' and his chiefs, and about four hundred men and women. We afterwards accompanied him on the steamer *Active* for the next twelve days through the great channels of the Archipelago and thence through the interior straits and channels to Victoria, and finally to Portland and San Francisco.

The results of the 1867 trip were published by the Government;\* and these combined with those of 1869, form the *Coast Pilot of Alaska*, Part I.†

After the purchase, Congress seemed to take very little further interest in geographical work in Alaska, but each year we submitted to the Superintendent of the Coast Survey an estimate for an appropriation to continue the observations at the tidal station at Kadiak Island, and later at Sitka; this was done to keep alive a connection between the Government and future appropriations for an expansion of Coast Survey work in whatever part of the region should first demand it.

Another work of import was the reconnaissance of the Yukon River to its confluence with the Porcupine by Captain Raymond, of the United States Engineers. The special object of this expedition was to determine whether the Hudson's Bay Company trading post of Fort Yukon was west of the 141st meridian. It proved to be in longitude  $145^{\circ} 15'$ , and was abandoned. This expedition gave a running survey of that river as high as the Arctic Circle.

In 1872, placer gold discoveries beyond the head of the Stakheen excited the Canadians to obtain a route through the lisière of 1825 by way of that river.‡

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\* *House of Representatives, Ex. Doc. No. 177, 49th Congress, 2nd Session, February 19, 1868*, pages 219-359.

† *Pacific Coast. Coast Pilot of Alaska (First Part) from Southern Boundary to Cook's Inlet*, by George Davidson, Assistant Coast Survey, 1869: Washington; Government Printing Office, 1869; 8 vo., 251 pages, 8 illustrations.

‡ Throughout this paper we shall use this spelling in place of the Stekine, Stikine, Stickeen, Stachine River, etc. Heen, heena, een or eena, in this region means a fresh water stream.

The fisheries of Alaska stimulated traffic and prompted immigration and capital to the Archipelago and other regions; the United States mail steamers needed surveys, and Congress made appropriations for Coast Survey parties in hydrography and topography. Many charts of special localities were published.

When the question of the boundary was raised by Canada, our personal and official interest in the geographical problem was stimulated, and more so when the President's message to Congress in 1889 was published. That year the United States Coast and Geodetic Survey sent two astronomical parties to determine where the 141st meridian crossed the Yukon and the Porcupine Rivers.

Upon the breaking out of the Klondike gold fever, we renewed work upon the map of Alaska which we had in hand. We were invited by the Geographical Society of the Pacific to present our views upon the physical features and resources of Alaska, the routes to the interior, extent and the character of the explorations to that date; and also upon the proofs of the claims of the United States to the Archipelago and the border around it.

Under these circumstances, with many incidental incentives, we naturally became much interested in the location of that part of the line extending from Cape Muzon, through the Portland Canal, and thence by the eastern and northern limit of the lisière to Mount Saint Elias.

Some years later we published an account of the map drawn for us by Koh-klux', the Chilkaht chief, who had in August, 1852, gone down the Lewes River to the Yukon and destroyed the Hudson's Bay Company post, Fort Selkirk; and who had also gone down the All-segh' River to the Pacific; and we have now ready for the press a paper upon the glaciers of Alaska as found on the old Russian charts, or described by the old navigators.

We have been thus prolix to indicate that the consideration of this Alaskan subject is not new to us, nor a mere sentiment. In forty-five years of continuous official duty upon this coast, we have examined all the early Spanish, English, French, American and Russian authorities in order to learn the extent and locality of their discoveries and give the origin of the names of capes, bays, rivers

and straits. These researches over ground with which we were personally familiar have resulted in four editions of the *Coast Pilot of California, Oregon and Washington*; the *Coast Pilot of Alaska*; the *Discoveries and Explorations of the Spanish and English, 1539 to 1603*; and various investigations published by the California Historical Society, the Geographical Society of the Pacific, etc.

In the present paper we have re-examined the material about Alaska which we have in our possession, have overhauled authorities for verification, and have added more of interest. Whatever errors or deficiencies may be detected should be ascribed to the limited time at our disposal.

## INTRODUCTORY.

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We propose to present the materials we have gathered relative to this boundary question in the following order:

What event unexpectedly brought about the Conventions of 1825 between Russia and the United States, and between Russia and Great Britain in relation to Alaska?

This is followed by the early history of Russian discovery on the Northwest coast of America; the occupation of the islands and rivers upon the coast; the development of the fur trade; the organization and power of the great fur company and the evident design of Russia to dominate the whole of the North Pacific.

These conditions, the intrusive activity of the American and English fur traders, and the illicit traffic in fire-arms, gunpowder and spirituous liquors, would appear to have led to the proclamation of the Ukase of September 4th, 1821, by Russia, and the immediate renewal of the lease to the Russian American Company, with the right to imperial control over the territories that might be acquired. That Edict is a very lengthy document of seventy paragraphs, and forms a code of action for every office of the Company and the Government, ending with the declaration that "the commanders of ships of war will receive orders to capture all foreign vessels found in Russian waters." For the purpose of elucidation, we present a few extracts with remarks thereon.

The Ukase was inimical to every foreign trader and trading company; it sought to give Russia the control of the North Pacific and Bering Sea; claims which the Governments of the United States and Great Britain promptly, energetically and successfully combated. We have no further need to refer to the action of the United States in that matter, because she made no claim to territory in that part of the Northwest.

With the Government of Great Britain territorial matters were forced to the front, although her discoveries were antedated by Russia and by Spain, and she had effected no occupation on that coast, nor west of the Rocky Mountains.

Great Britain had, therefore, two objects in view: the first was to obtain from Russia an abandonment of the "preposterous pretensions" and "extravagant assumption of maritime supremacy" of the Ukase without wounding the sensibilities of the Emperor. The United States had been the first in the field and yet was in good rapport with Russia. Great Britain had proposed to join with the United States in pressing the common object, but later withdrew because Mr. George Canning imagined he had discovered "a foregone understanding between Russia and the United States, or a disposition on the part of the United States to countenance and promote what they knew to be the desire of Russia."\* Great Britain then acted alone and proposed to more effectually hide the revocation of the Ukase by a discussion of boundaries that occupied between two and three years.

To follow this matter in more detail, we elsewhere quote from subsequently published biographies and official correspondence, to indicate the animus which determined the action of Great Britain. Without such sources of information, little can be gleaned from the Conventions of 1824-25 (the United States) and 1825 (Great Britain) to show why the latter Government made such strenuous efforts to establish a boundary line, nominally by Plenipotentiaries of the two Powers, but really and confessedly by the great rival fur trading companies.

Then arises the question, what were the available charts for the settlement of a boundary line on that particular part of the Continent where no one of record had ever penetrated fifty miles inland; whose natives were hostile; whose streams were unknown; and whose mountain ranges might be flankers of the Rocky Mountains of the far interior?

We had been long familiar with the charts of Vancouver and his narrative; we had observed for latitude where he had, and had learned to respect his accuracy of work and the truthfulness of his narrative. In his day he was without an equal. Where there had been some trifling oversight, it could be satisfactorily settled by a study of his narrative with the charts.

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\**Fur Seal Arbitration papers, 1893* : Volume IV, pages 417, 419.

The internal evidence of the use of his charts and narrative, in the controversy leading to the Convention, is convincing; beyond that there was no other published chart of that region by any other navigator or navigators; and the large scale of his charts was like an open book to all the negotiators. And happily for this boundary dispute of to-day, the very object of his voyage of exploration caused him to examine every strait, canal or inlet that penetrated the Northwest Coast of America, from the head of Puget Sound in latitude  $47^{\circ} 03'$  to the head of Lynn Canal beyond the 59th parallel.

From his charts and narratives, and from the details added by Tebenkof, with our own observations, we are able to present a short description of the extent and physical features of the Archipelago; and later on of Portland Canal, and the contiguous waters and adjacent islands.

That brings the matter to the date of the Conventions; and we present the texts of that with the United States; and that with Great Britain. They are taken bodily from the volume of President Cleveland's message of 1889.\* We have placed the French and English texts in parallel columns, in order that the English translation may readily be compared with the French original; for it should be understood that French was then the diplomatic language of Europe, and we believe that only the French text was signed, although the translation carries the same signatures. At any rate, the French text governs in the rendering of the meaning of the Convention.

In the Convention with the United States, there was only one subject matter to be settled, as we have already stated.

The claims of the Ukase of 1821 are not referred to; it was simply an instrument for cementing more closely the bonds of amity of the two countries; for securing the invariable maintenance of a perfect concord; and for preventing the introduction of fire-arms and spirituous liquors by the traders among the natives. Not a word was introduced that could wound the "*amour propre*" of the Emperor of all the Russias.

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\* Senate, *Ex. Doc. No. 146, 50th Congress, 2nd Session*, March 2, 1889.

In the Convention between Russia and Great Britain, the same object was to be gained in a similar manner; but to conceal this more effectually, the claims of Great Britain to territorial rights were introduced. This matter gradually changed from the possibility of obtaining the whole of the Archipelago Alexander, to relinquishing the right to a single foothold. With the long established settlement of Sitka as the stronghold of the adjacent territories, the hopes and claims of the British Ambassador seem as audacious as some of the claims of the Ukase.

The French and English texts are given in parallel columns. The translation of the French into English is weak, and evidently not made by a navigator, geographer, or military officer; and we have been constrained to make critical remarks upon some of the more important words that have weight in seeking for the right interpretation of the subject matter at issue; such as crête, lisière, sinuosités, limite, crique, etc. We have given more particular attention to the lisière or coast-strip of the Continent, because it was the point upon which the Russian Plenipotentiaries would not yield to the long and persistent pressure of Great Britain; and which to-day is made to play a vital part in the claims and contentions of Canada.

In that connection, we give an account of Vancouver's survey and description of Portland Canal, Observatory Inlet, Dixon Entrance, and the Prince of Wales Archipelago.

From the year of the Convention, 1825, to 1867 the year of the ceding of Alaska by Russia to the United States, we present evidence to show that Russia was extremely jealous of her rights in the Archipelago, and particularly her control of the lisière.

The attempt of the Hudson's Bay Company in 1834 to establish a fortified trading post at the north end of Wrangell Island had been forestalled by the building of Fort Dionysius, and the brig *Dryad* was repelled. To this act Great Britain made no efficient protest; it was really an affair between the rival companies, but the Russian Company possessed the imperial authority represented by the Governor of Sitka.

In this period both companies were making explorations; the

Russian working inland on the Chilkah and Taku, as well as on the Yukon and Kuskoquim'; the Hudson's Bay Company trying to reach the Stakheen from the Mackenzie and the Dease.

Although the subjects of Great Britain had the right to cross the lisière in either direction, they never made any use of the Stakheen, Taku or Chilkah. In 1862, the British vessel of war *Devastation* asked permission of the Governor of the territory to visit the Stakheen, and obtained it. In 1863, the Russian corvette *Rynda* examined the Stakheen to beyond the Little Cañon.

This rapid recitation of some of the events of forty-two years brings us to the Treaty of 1867, and we premise by saying that in 1854 Russia had proposed to cede Alaska to the United States.

The text of the treaty is given in French and English in parallel columns, as in the exhibits of the two Conventions. Therein the Emperor of all the Russias cedes to the United States all the territory and sovereignty actually possessed by him on the Continent of America, as established by the Convention between Russia and Great Britain in 1825.

Our strictures upon the translation of the French text of 1825 apply to the English translation of 1867. The geographical description so far as it relates to the boundary line, and the lisière between Canada and Alaska, is almost identical with that of 1825. We elsewhere note one omission in the translation, although it may be an error of the printer.

As a study of the question of boundary involved references to charts and maps as well as to narratives of explorers, we have drawn up short descriptions of charts under three headings: first, Russian, French, British, Scotch and early Canadian; second, Canadian charts and maps; and third, American charts of the United States Coast and Geodetic Survey. At the close of each series, we have freely given our criticisms thereon. Later, we have suggested how the eastern boundary of the lisière may be drawn upon accepted official charts; and why a compromise broken-line boundary, indicated by permanent and easily recognized objects, and by monuments at river crossings, should be adopted by the United States and Great Britain.

We have noted some of the adventurous contentions put forward by Canada.

We present the views of President Grant in 1872 upon the advisability of settling the boundary line. He had known of the trouble that arose in the San Juan Island difficulty from the trifling incident of the killing of a pig; also the anxiety of the Canadian Government for a boundary line across the Stakheen because placer gold had been discovered in the Cassiar District. And we note the apparent indifference of Great Britain and the United States until the discovery of the mineral wealth of the Northwest Territory and the value of the pelagic fur sealing.

We have criticised some of the statements of Secretary of State Bayard in President Cleveland's message of May 17th, 1886; and have also criticised and controverted the statements and arguments of Major-General R. D. Cameron and Dr. George M. Dawson, of the Government of Canada, as they are presented in President Cleveland's message of March 2nd, 1889.

We have presented the matter of the *Modus Vivendi* of 1899, and after some explanation have shown, from United States authority and from examinations made for railroad projects, that the crest-line of the mountains at the head of the Chilkaht River is nearly fifty miles from the head of the Chilkaht Inlet; and that the temporary boundary line across the Chilkaht Valley has been shifted from thirty miles to within thirteen miles of the deep water of Chilkoot Inlet, and thereby has yielded to Canada a strip of valuable territory seventeen miles wide by more than twenty miles long.

WHAT WAS THE REAL AND PARAMOUNT ISSUE  
THAT BROUGHT ABOUT THE CONVENTIONS  
OF 1824-25 BETWEEN RUSSIA AND THE  
UNITED STATES, AND OF 1825  
BETWEEN RUSSIA AND  
GREAT BRITAIN.

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The Convention of 1824-25 between Russia and the United States declares the cause to be the "wishing to cement the bonds of amity which unite them, and to secure between them the invariable maintenance of a perfect concord."

The Convention of 1825 between Russia and Great Britain declares that the two countries are "desirous of drawing still closer the Ties of good Understanding and Friendship which unite them, by means of an Agreement which may settle, upon a basis of reciprocal convenience, different points connected with the Commerce, Navigation, and Fisheries of their Subjects on the Pacific Ocean, as well as the limits of their respective Possessions on the North West Coast of America."

These statements indicate that the reasons given in the Convention with the United States are not identical with those given in the Convention with Great Britain.

The essential point at issue between the United States and Russia may be partially surmised from Article I, wherein the agreement states that the citizens or subjects of the high contracting Powers shall not be disturbed or restrained either in navigation or in fishing or in resorting to unoccupied points for purposes of trading with the natives, under certain restrictions; and that the United States shall not form any establishment upon the Northwest Coast of America, nor in the islands adjacent thereto north of  $54^{\circ} 40'$ . Furthermore, the trading ships of both powers were granted permission for a period of ten years to trade, without hindrance, in the interior seas, gulfs, harbors and creeks of the Archipelago Alexander.

Two points are presented in the Convention of 1825 between Russia and Great Britain. Article I simply announces that the subjects of the two Powers shall not be troubled or molested in any part of the ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at unoccupied points of the coast to trade with the natives. Paragraph 2 declares British subjects shall not land where there may be a Russian Establishment without permission of the Governor or Commandant; and that Russians shall not land at any British Establishment on the Northwest Coast.

Thus far the essential point at issue between Russia and Great Britain can only be surmised when taken and compared with the Convention between Russia and the United States.

There was evidently some common cause, hidden by courteous phraseology, which may be sought in preceding acts of either of the Governments, or from explanations furnished by the records of persons officially engaged in the transactions.

The primary object which led to the Convention of 1825 between Russia and Great Britain was the determination of the latter Government to obtain from Russia the "disavowal or qualification" of the Ukase which was proclaimed in 1821.\* That Ukase claimed for Russian vessels the sole right to navigate and carry on the fur trade along the shores of the North Pacific for a distance of 100 geographical miles seaward.

That object was to be secured in such a manner as not to lessen or wound the dignity of the Emperor of all the Russias; and Sir Charles Bagot, the British Ambassador at St. Petersburg, was instructed by the Secretary of the Foreign Office, Mr. George Canning (July 12th, 1823), to "endeavour to draw from the Russian Government a proposal of their terms."† In the negotiations and in the instructions to the British Ambassador, one phase of the question was clearly established; that the English cared little about the line on the Continent if they could obtain free transit to and from the Pacific by the deep water channels of the Archipel-

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\* *Fur Seal Arbitration*: Volume IV, page 416.

† *Fur Seal Arbitration Papers*: 1893: Volume IV, page 405.

ago Alexander. They had no claim by right of discovery or occupation to any part of the coast, save that doubtful one to Friendly Cove at Nootka Sound, in latitude  $49^{\circ} 35'$ , on Vancouver Island; and even that claim was based upon the wretched demand upon the Spanish Government by Meares (1789), who had been trading on the coast under Portuguese colors. The difficulty with Spain was settled by the Convention of January 11th, 1794, at Madrid, which provided that after the preliminaries had been complied with, the "British flag was to be raised as a sign of possession, and then the officers of the two Crowns should retire respectively to their people from the said port of Nootka." (Begg, page 83.) Great Britain and Spain left the field of occupation.

The "secondary consideration" was to secure a line of demarcation between the Russian possessions and those claimed by Great Britain. Upon this matter, Mr. George Canning has written, "It is *not*, on our part, essentially a negotiation about limits; \* \* \* we negotiate about territory to cover the remonstrance upon principle." \*

It is this subordinate consideration, now known as the Alaska Boundary Question, that alone occupies our attention. For sixty years the terms of the resultant Convention of 1825 had been accepted as explicit and satisfactory; but since 1885, contentions have been made in order to nullify its provisions.

We have elsewhere presented in some detail proofs of the real and paramount object of the Convention; and the rights of Russia based on discovery and continuous occupation until 1867. We have made strictures upon the English translation of the French text of the Convention; have collected some information of the inside history of the controversy to elucidate points at issue; described maps and charts of different origin that bear upon the question, and have not hesitated to make strictures upon the written opinions of officials and writers.

We have quoted from official correspondence the proof that the demands of Great Britain were made only after and upon the advice

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\* *Fur Seal Arbitration*: Volume IV, pages 448, 449.

of the Governors or Managers of the Hudson's Bay Company. The Russian American Company had imperial authority, and without doubt exercised upon the Russian Government the full measure of their desires.

It was a conflict between the two great companies.

THE EARLY EXPLORATIONS OF THE RUSSIANS IN  
THE NORTH PACIFIC; THEIR DISCOVERIES  
AND OCCUPATION OF THE LANDS DIS-  
COVERED. INTENTION TO CON-  
TROL THE NORTH PACIFIC.

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The indomitable courage and heroic perseverance of the old Spanish navigators of the Northwest Coast of America,—Ulloa, Cabrillo, Ferrelo, Vizcaino and Aguilar, 1539–1603, was followed by 166 years of apparent apathy. The irruption of that unique freebooter, Francis Drake, upon the coasts of Oregon and California in 1579, and of Cavendish ten years later off Lower California, did not arouse Spain to the possibilities of the farther Northwest. Spain and New Spain were apparently satisfied with their possessions and traffic of the Philippines.

In that long interval a new power had appeared on the unknown Pacific. In 1728 Russia sent one of her best and most energetic navigators across the dreary thousands of miles of Siberia to outline the coast of Asia towards the north. The success of Bering in discovering the northeast limit of Asia prompted Peter the Great to accept Bering's later proposition to sail eastward from Kamchatka to the Continent of America. With prophetic vision, the Tzar saw new empires around the North Pacific. No other enterprise can be compared in greatness and in sacrifice with the gigantic undertakings loaded upon Bering.

Enough for our purpose to know that the two vessels of Bering's exploration of 1741 discovered the Continent of America at widely different points within a day or two of each other.\* The second

\**Vitus Bering: The Discoverer of Bering Strait.* By Peter Lauridsen, Member of the Council of the Royal Danish Geographical Society; Editor of Jens Munk's *Navigatio Septentrionalis*. Revised by the Author and Translated from the Danish by Julius E. Olson, Assistant Professor of Scandinavian Languages in the University of Wisconsin. \* \* \* Chicago: S. C. Griggs & Company, 1889.

*The Tracks and Landfalls of Bering and Chirikof on the Northwest Coast of America. From the Point of Their Separation in Latitude 49° 10', Longitude 176° 40' West to Their Return to the Same Meridian. June, July, August, September, October, 1741.* George Davidson, President of the Geographical Society of the Pacific. (Private publication.) Put to print, October 31, 1901. Also published in *Transactions and Proceedings of the Geographical Society of the Pacific.* Volume I, Series II, October 31, 1901.

in command, Alexis Chirikof, in the *St. Paul*, made the coast on the 15th of July, 1741, in latitude  $55^{\circ} 21'$  by estimation. From his position he could see the high land of the coast to the southward at a distance of forty-five or fifty nautical miles. Bering, who after their separation steered farther to the northward than Chirikof, made the landfall of Mount Saint Elias on the 16th of July; and continuing to the north and westward, anchored under the northwest shoulder of Kayak Island in latitude  $60^{\circ} 00'$  on the 20th, and landed thereon. Chirikof coasted to the northward to the latitude of  $58^{\circ} 21'$ , under Mount Fairweather, and thence sailed almost directly west under the shadow of Mount Saint Elias to the western coast of the Gulf of Alaska. The vessels unknown to each other, steered to the southwest and west, in sight of Kadiak Island. Bering spent a week surveying the Shumagin group. He subsequently died on Bering Island.

Thus these two vessels secured to Russia the *Right of Discovery* for the Northwest Coast of America, from the immediate vicinity of Dixon Entrance to the Peninsula of Alaska, and thence along the chain of the Aleutian Islands; a total length of 2150 nautical miles.

This right of discovery was fortified in a very few years by the occupation of Bering and Copper Islands, and the occupation of the Aleutian Islands and part of the main coast in so far as trading thereto could give it; and subsequently, by the official occupation by officers of the Government,\* and the establishment of stations

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\* *Voyages from Asia to America, for Completing the Discoveries of the North West Coast of America.* To which is prefixed a Summary of the Voyages made by the Russians on the Frozen Sea in Search of a North East Passage. Serving as an Explanation of a Map of the Russian Discoveries, published by the Academy of Sciences at Petersburgh. Translated from the High Dutch of S. Muller, of the Royal Academy of Petersburgh. With the Addition of Three New Maps: 1. A copy of part of the Japanese map of the World. 2. A copy of De Lisle's and Bauche's fictitious Map. And 3. A large Map of Canada, extending to the Pacific Ocean, containing the New Discoveries made by the Russians and French. By Thomas Jefferys, Geographer to His Majesty. London: Printed by T. Jefferys, the Corner of St. Martin's-Lane, Charing Cross, 1761.

*Account of the Russian Discoveries between Asia and America.* To which are added, the *Conquest of Siberia* and the *History of the Transactions and Commerce between Russia and China.* By William Coxe, A. M., Fellow of King's College,

for the control of traffic, and of the natives long before the advent of the Spanish explorers in 1774 and of Captain James Cook in 1778.

Russian merchants and fur traders and the Russian Government found a great source of wealth in the fur of the sea otter then filling every inlet and bay, and swarming along the coast southward beyond San Francisco and San Diego.

We may not know the early intentions or plans of Russia to control the North Pacific, save from her voyages in the Western Pacific as far south as Japan, and on the American coast as far south as Lower California; and the occupation of certain localities in California and the Hawaiian Islands.

La Pérouse came upon the Northwest Coast, in sight of Mount Saint Elias, on the 23rd of June, 1786,\* met with disaster in Lituya Bay, and thence sailed along the outer coast to the southeastward. He did not examine the great Archipelgo.

In 1768 Spain awoke to the possibilities of the Northwest Coast; and in 1769 she advanced to the Bay of San Francisco, which was in a few years recognized as the port to be fortified and held against all encroachments by foreign powers.†

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Cambridge, and Chaplain to his Grace the Duke of Marlborough. London : Printed by J. Nichols, For T. Cadell, in the Strand, M.DCC.LXXX.

Translation of Title: *Chronological History of the Discovery of the Aleutian Islands, or Achievements of the Russian Merchants*; with an appendix of historical data of the Fur Trade. St. Petersburg, printed by N. Gretch, 1823. The preface shows that it was written by Basil Bergh, at St. Petersburg, January, 1823.

\* *Voyage de la Pérouse autour du Monde*, publié conformément au Décret du 22 Avril 1791, et rédigé, par M. L. A. Milet-Mureau, Général de Brigade dans le Corps de Génie, Directeur des Fortifications, Ex-Constituant, Membre de plusieurs Sociétés Littéraires de Paris. À Paris, de l'Imprimerie de la République. An V. (1797) (Four volumes quarto and large atlas.)

† The Supreme Government of Spain being informed of the repeated efforts made by a Foreign Nation upon the northern coasts of California with views in no wise favorable to the Monarchy and to its interests, the King commands the Marquis de Croix, his Viceroy and Captain-General in New Spain, that he take effective measures for the protection of that part of his Dominions from all invasion and insult.

Translated from *Extracto de Noticias del Puerto de Monterrey de la Mission y Presidio que se han establecido en él con la denominacion de San Carlos, y del Suceso de las dos Expediciones de Mar, y Tierra que à este fin se despacharon en el año proximo anterior de 1769*, etc.

From 1774 to 1794, the Spaniards were indefatigable in their voyages of discovery through that extensive and unequalled system of interior channels, from Olympia, in latitude  $47^{\circ} 03'$ , to the head of Lynn Canal in  $59^{\circ} 29'$ .

From the time of Cook to that of Vancouver, there was a lull in English exploration upon the coast; but English fur traders, English under Portuguese colors, and American fur traders, came soon after Cook and bartered directly with the natives for the sea otter and other furs. Of course, they came in conflict with the Russian fur traders who had carried their business to the mainland.

While Baranof was the chief of the Shelikof-Golikof Company, with Kadiak Island as the headquarters of all their operations, he found the hunting grounds to the eastward were being profitably visited by the English and Americans. By the Ukase of September, 1799, the Russian American Company was evolved from the United American Company, and Baranof was chosen the chief manager.\* He determined to quit Kadiak and establish a new center of operations in Sitka Sound. This was New Archangel, about six miles north of the present site of Sitka after the destruction of the former.

Thenceforward, through his exceptional shrewdness, vigor and administrative ability, Baranof was more than a match for the fur traders from the United States and Great Britain; and with the Government close behind the Company, Russia held firmly to her rights of discovery, occupation, assertion and aggression. Each year new stations were established; explorations were carried along the coast and into the interior by the rivers. He adopted methods which foreign traders could not do. He secured large numbers of the native sea otter hunters of Kadiak and the Aleutian Islands, and under Russian direction they made trips along the coast with fifty or more bidarkas, or were transported long distances in the vessels of the Company.

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\* *Biography of Alexander Andreievitch Baranof, Governor General of the Russian Colonies in America*, by Kiryll Khlebnikof, St. Petersburg. Navy Printing Office, 1853. (Title translated.)

As a point of direct control of the eight thousand miles of shore line of the Archipelago Alexander, the selection of Sitka was a master stroke; and we can readily understand that Governor Baranof looked anxiously toward the coast of California as an untouched sea otter region, and San Francisco as a point of supply of provisions in case the annual ship from home should not arrive. Furthermore, there seems to have been a deeper purpose in securing a foothold near San Francisco, not directly controlled by the Spaniards.

The Spaniards had "taken possession" of many places along the whole seaboard from San Francisco to Cook's Inlet, but had made no assertion of holding any part save at Friendly Cove in Nootka Sound.

In October, 1803, Governor Baranof joined with the American Captain O'Kane commanding the ship *Boston*, to outfit her for sea otter hunting to the southeastward. She left Kadiak for the Columbia River, but could not enter; is reported to have hunted in San Francisco Bay; visited San Diego; and hunted sea otter at Port San Quentin, Lower California, in latitude  $30^{\circ} 24'$ , until March, 1804. Tebenkof speaks very circumstantially of a Russian vessel hunting sea otter in San Quentin in 1805, but the Spanish and Mexican archives in the United States Surveyor General's office in San Francisco, place it in 1804. The Spaniards forced her to leave.

In 1806 the Russian Chamberlain Nicolai Petrovich Resanof, in the American ship *Juno* (which he had purchased), sailed for San Francisco; for two weeks he tried to enter the Columbia River;\*

\* *Voyages and Travels in Various Parts of the World*, during the years 1803, 1804, 1805, 1806, and 1807. By G. H. Von Langsdorff, Aulic Counsellor to His Majesty the Emperor of Russia, Consul-General at the Brazils, Knight of the Order of St. Anne, and Member of Various Academies and learned Societies. Carlisle: Printed by George Philips, and for sale in Philadelphia, by M. Carey & Son, Abraham Small, and Moses Thomas; in New York, by Kirk & Mercein; in Boston, by Wells & Lilly; in Baltimore, by J. & T. Vance; in Richmond, by Fitzwhylsonn & Potter, and Peter Cottom. 1817. 1 vol., 8 vo.

The German Edition: *Bemerkungen auf einer Reise um die Welt in den Jahren 1803 bis 1807* von G. H. von Langsdorff, Kaiserlich-Russischen Hofrath, Ritter des St. Annen-Ordens zweiter Classe, Mitglied mehrerer Akademien und

he failed to enter Humboldt Bay, and reached San Francisco, where he spent two months negotiating with Governor Arrillaga at Monterey, and Comandante Arguello at San Francisco, for provisions for Sitka. In 1806, an American ship, with an American crew, under the American captain, Jonathan Winship, made a contract with the Russian American Company, and fitted out with over fifty bidarkas and more than one hundred Aleutes, for a sea otter voyage to California. She entered Humboldt Bay, and subsequently hunted the coast as far south as Cerros Island in latitude  $28^{\circ} 02'$ .\* In October, 1808, the Company's schooner *Nikolai* was wrecked at the mouth of Gray's Harbor, latitude  $46^{\circ} 54'$ .

In December, 1808, the *Neva*, under Captain Hagemeister, with a crew of seventy-five men, was dispatched from Sitka to the Hawaiian Islands with instructions to found a colony there. Bancroft (Page 491 *n.*), says a copy of Baranof's instructions has been preserved in the *Sitka Archives*.

In 1811, the Russians established a block house, and a warehouse on the east side of Bodega Head, at the entrance to the small bay, latitude  $38^{\circ} 18'$ . There was no immediate back country for wood, water or cultivation, but it was a fair point for the pursuit of the sea otter, and for the refuge of small vessels. Against Spanish protest they remained under Russian control until 1841. (We visited the dilapidated buildings in 1853.)

The Bodega location was too cramped, and in 1812, the Russians selected and built a stockade upon the rocky faced terrace overlooking the contracted anchorage of Fort Ross; latitude  $38^{\circ} 31'$ . Here the stockade was pierced with embrasures, furnished with caronades, etc., etc.; barracks and storehouses were erected, with an arsenal, church and workshop. A Director or Governor and officers controlled the establishment. At one time there were

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gelehrten Gesellschaften. (F. W.) Mit acht und zwanzig Kupfern und einem Musikblatt. Frankfort am Mayn, Im Verlag bey Friedrich Wilmans. 1812. (Two volumes, quarto.)

\* *The Discovery of Humboldt Bay, California.* Professor George Davidson, Ph.D., Sc.D., United States Coast and Geodetic Survey, President Geographical Society of the Pacific, etc., etc., Geographical Society of the Pacific Publications. San Francisco, California, 1891. Put to press April 20, 1891.

eight hundred natives of Kadiak with their bidarkas for sea otter hunting. From this station the Russians established a hunting station on the Southeast Farallon, twenty-three and one-half geographical miles broad off the Golden Gate; and on some of the islands off Santa Barbara.\*

The Russian navigator, Kotzebue, visited the Northwest Coast, and reached the Coast of California in 1824.† He visited the Bay of San Francisco, and asserts (Page 112), that "the whole of the northern part of the bay, which does not properly belong to California, but is assigned by geographers to New Albion, has hitherto remained unvisited by voyagers, and little known even to Spaniards residing in the country." On page 123, he continues: "In order that the Russians might not extend their dominion to the northern shore of the Bay of San Francisco, the Spaniards immediately founded the Missions of St. Gabriel and St. Francisco Solano. It is a great pity that we were not beforehand with them. The advantages of possessing this beautiful bay are incalculable, especially as we have no harbour but the bad one at Bodega or Port Romanzow." (See page 110 for similar sentiments.)

"The founder and then Commander of the Fortress of Ross, a man of penetration and not easily frightened, \* \* \* said that he had at the command of his superiors settled in this region, which had not previously been in the possession of any other

\* *Narrative of a Voyage to the Pacific and Beering's Strait, to Co-operate with the Polar Expeditions:* performed in His Majesty's ship *Blossom*, under the command of Captain F. W. Beechey, R.N., F.R.S., &c, in the years 1825, 26, 27, 28. Published by Authority of the Lords Commissioners of the Admiralty. A new edition. In two volumes. London: Henry Colburn and Richard Bentley. New Burlington Street. 1831. Volume II, page 67.

*Life in California during a residence of several years in that Territory* \* \* \* by Alfred Robinson \* \* \* San Francisco: William Doxey, Publisher, 1891. (One volume duodecimo, 284 pages. See page 246 *et seq.*)

† *A New Voyage round the World*, in the years 1823, 24, 25, and 26, by Otto von Kotzebue, Post Captain in the Russian Imperial Navy. In two volumes. London: Henry Colburn and Richard Bentley, New Burlington Street. 1830. See Volume II.

The German edition is *Neue Reise um die Welt*, in den Jahren 1823, 24, 25 und 26. Von Otto von Kotzebue, Russisch-Kaiserlischen Flott-Capitain und Ritter. \* \* \* Weimar, 1830. \* \* \* St. Petersburg. (Two volumes. Volume II, page 64 *et seq.*)

power \* \* \* and therefore he would yield to no such unfounded pretensions as that now advanced by the Spaniards, but should always be ready to resist force by force." (Page 122.)

In 1827, Captain Beechey met at Monterey a Russian vessel belonging to the "Russian American Fur Company" that was employed in trading between Sitka, Bodega, and several ports in California, and carrying supplies to the Russian settlements northward. She was commanded by an officer of the Russian Navy. There were several of these vessels on this coast carrying guns and wearing pendants. (Volume II, Page 87.)

But beyond these indications of purpose are the two positions taken by Russia in the Hawaiian Islands. In 1815, the Russians built a stone fort at the mouth of the River Waimea, on the southwest side of Kauai Island, ostensibly to support King Kaumuali against Kameahmeah. The Hawaiian chart of the same island also shows the ruins of a stockade at the east side of the Bay of Hanalei on the north coast. In 1816, the Russian, Dr. Scheffer, attempted "to raise the Island of O Tuai against Tameamea, in the hope of annexing it to the Empire of Russia." Kotzebue declares he was insane, and that "the absurd design was entirely discountenanced by the Emperor Alexander." Then he charges that England had probably secretly harbored such a design.\*

There were many minor but effective movements made by the Russian American Company to explore and occupy the coast of the North Pacific; Golovnin and Ricord in 1807-09, and 1811-14, toward and in Japan; Taraikanow on the Northwest Coast, 1808; Wassiljew, Baranof Island in 1809; Ricord and Chlebnikow, Shelikof Strait, 1810; and in 1817-18, Golovnin made two voyages in the frigate *Kamschatka* with Lütké, Wrangell and Etolin, visiting the Commander Islands, Kadiak, Sitka, Fort Ross, Bodega and Monterey.†

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\* Kotzebue. Volume II, page 215.

† *Beitrag zur Kenntniss der orographischen und geognostischen Beschaffenheit der Nord-West-Küste Amerikas mit den Angliegenden inseln.* Von Dr. C. Grewingk, (Aus den Verhandlungen der Mineralogischen Gesellschaft zu St. Petersburg, für die Jahre, 1848-49, besonders abgedruckt.) (Hierzu Karten No. I-III, zwei dergleichen im Text, und Tafel IV-VII.) St. Petersburg. Gedruckt bey Karl Kray. 1850. See page 237, *et seq.*

All these operations might be laid largely or wholly to the aggressiveness of the Russian American Company, were there not other and stronger proofs that the Russian Government was making unusual efforts to assert its power in the North Pacific.

In 1802, the Government hastily ordered an "expedition for the Northwest Coast of America," under Captain Krusenstern of the Imperial Navy; but it was not ready to sail until 1803, when the plans were somewhat changed, and the principal seat of exploration was in the North Pacific from latitude  $31^{\circ}$  at Nagasaki, Japan, to Petropaulski, Kamchatka, latitude  $52^{\circ} 53'$ , and thence round the world, during the years 1803–1806.\* Krusenstern did not reach the Alaskan coast, but Captain-Lieutenant Lisiansky, commanding the *Neva*, was detached at the Hawaiian Islands, and sailed direct to Kadiak Island, and thence to Sitka, to relieve the Russians threatened by the Sitka Indians, August, 1804.

Again in 1815, Captain Kotzebue of the Imperial Navy (who had sailed with Krusenstern as a Cadet), commenced a voyage through the South Sea, and reached as far north as the Arctic on the American coast at Kotzebue Sound; thence through the Aleutian Islands to California, to the Hawaiian Islands, etc.; this voyage lasted until 1818.†

At this period the twenty years' term of the Russian American Company was nearing its close. It had been the outgrowth of rival companies, and the Government appreciated the necessity for

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\* *Voyage Round the World*, in the years 1803, 1804, 1805, & 1806, by order of His Imperial Majesty Alexander the First, on board the ships *Nadesha* and *Neva*, under the command of Captain A. J. von Krusenstern, of the Imperial Navy. In two volumes. Translated from the original German by Richard Belgrave Hoppner, Esq. *Les Marins écrivent mal, mais avec assez de candeur.*—De Brosses. London: Printed by C. Roworth, Bell-yard, Temple Bar; for John Murray, Bookseller to the Admiralty and the Board of Longitude, 50 Albermarle Street. 1813. (Folio.)

† *Entdeckungs-Reise in die Süd-See und nach der Berings-Strasse zur Erforschung einer nordöstlichen Durchfahrt. Unternommen in den Jahren 1815, 1816, 1817 und 1818, auf Kosten Sr. Erlaucht des Herrn Reichs-Kanzlers Grafen Rumanzoff auf dem Schiffe Rurick unter dem Befehle des Lieutenants der Russisch—Kaiserlichen Marine Otto von Kotzebue.* \* \* \* Weimar, Verlegt von den Gebrüdern Hoffmann. 1821. (This edition is in three parts bound together, small quarto; with plans and plates.)

placing the fur trade under a single powerful organization, in which members of the Imperial family, and the high nobility, were interested. The Ukase of 1799 invested it with special and exclusive privileges for a period of twenty years on the shores of Northwest America, between latitude 55° north and Bering Strait, on the Aleutian Islands, the Kuril Islands and the islands in Bering Sea. Under its charter it paid no direct duty to the Government. It had exclusive right to all the products of the chase and of the commerce of the regions mentioned; and it was especially authorized to take possession on behalf of the Imperial Government of newly discovered countries on the coast of America to the north and south of latitude 55°. No foreigner was permitted to be a shareholder. It was authorized to use a seal and a flag bearing the Imperial coat of arms. From the year 1802, officers of the Navy were constantly in the employ of the Company, and they were enjoined to obey the orders of the Chief Manager. The Governor of the Company at Sitka was either a naval or military officer.

It seems clear that these developments, continued through many years, had impressed the Russian Government with the importance of the North Pacific from Japan through the Kuril Islands, along the Kamchatka coast, through the long chain of the Aleutian Islands, and the coast and archipelagoes of Northwestern America, as an immense and profitable field for existing and future traffic; and furthermore, that any claims of Spain, England, France and America had been only formalities of possession as against her right of discovery, occupation and assertion through nearly this whole bounding line of the Northern Pacific.

The traffic referred to was not solely with reference to the sea otter, because that industry was largely destroyed, but the fur seal had become a source of wealth, and effective means were proposed to preserve the herds of the Pribilof Islands.\* The whaling industry was found to be a steady source of revenue, and the traffic with the natives of the interior of the Northwest Coast was being developed.

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\* *Fur Seal Arbitration at Paris*: Volume II, page 45.

The foregoing condensed statement indicates in part the reasons for the claims of Russia to the jurisdiction of the coast bordering the Northern Pacific and the contiguous seas and waters, and actually exercised continuously to the year 1821.

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REMARKS UPON THE DISCOVERY AND OCCUPATION  
OF ALASKA, BY SIMPSON, FINDLAY, AND  
THE DUKE OF WELLINGTON.

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In the matter of the rights of discovery and occupation of the Northwest Coast of America by the Russians, we have presented sufficient evidence to establish their claims without tracing in detail the adventurers from Bombay and Boston, Macao and Bristol, who were drawn hither by the knowledge they had gleaned of what the Russians had accomplished. Spain, Great Britain and France fitted out expeditions for explorations: Pérez in 1774, to Caamano in 1793; Cook in 1778, to Vancouver in 1792, La Pérouse in 1786.

The Russians had reached the coast at two points in 1741. Their adventurous fur traders soon traced the Aleutians to the mainland, discovered the Fur Seal Islands in Bering Sea, and established headquarters for some years at Kadiak, before John Meares under Portuguese colors, and Portlock and Dixon, English fur traders, reached the coast.

We have presented evidence which goes far to prove that Russia, as early as 1803, or very soon thereafter, had the intention of controlling the North Pacific; and took advantage of Spain's long inactivity in colonizing the countries she had discovered north of San Francisco. Through the Alaska islands and seaboard, Russia had her small military guard at each establishment; then she ventured as far south as Fort Ross in latitude  $38^{\circ} 31'$  and fortified an extensive stockade. The Company had from two to eight hundred

people here, whence sealing stations were established on the South-east Farallon off the Golden Gate, and on one or more of the Santa Barbara Islands.

Except at Astoria at the mouth of the Columbia River, no other nation held any post or established any colony on the Northwest Coast.

Sir George Simpson, in 1847, summed up the status of the Russian claims tersely and vigorously in his remarks about the discovery of the Northwest Coast by "Beering and Tschirikoff, respectively in  $59^{\circ}$  and  $56^{\circ}$ ." He awards these explorers the highest merit and adds that "discovery and possession had advanced hand in hand;" that "the settlement of Kodyak was formed four years before Meares erected his solitary shed in Nootka Sound; and Sitka was established fully ten or twelve years earlier than Astoria.

"According to this plain summary of undeniable facts, Russia had clearly the better claim, at least down to the parallel of  $56^{\circ}$ , than any other power could possibly acquire; and this is, in truth, all that has been conceded to her, for the parallel of  $54^{\circ} 40'$ , which has been fixed by the treaty of the international boundary on the coast, is necessary, in order to include the whole of a certain island which the parallel of  $56^{\circ}$  intersects.

"In offering this defence of which a mistaken patriotism on the part of English writers, is too apt to stigmatize as aggression and intrusion, I have no other object than to do what I believe to be right." (Subsequently quoted.)

On the next page he declares that England and Russia "will control the human race," and "confine every other nation within the scanty limits of its own proper locality."

The nation particularly referred to was the United States. He declares that the acquisition of territory by the Louisiana Purchase "gradually nursed into life the marauder's plea of contiguity, in other words when the Americans found the Northwest coast within their reach, then, and not until then, did they try to find texts for grasping it. The end was as impracticable as the means were unjustifiable. The United States will never possess more than a

nominal jurisdiction, nor long possess even that on the west side of the Rocky Mountains.”\*

He mentioned 56° because he elsewhere states that Chirikof reached the coast in that latitude, and not where he actually made the land in 55° 21' as the record demonstrates.

In the discussion of the Plenipotentiaries to the Convention, the rights of discovery were acknowledged, and only slight contentions offered that Russia had no other trading station than Sitka in the Archipelago.

Alexander George Findlay, F.R.G.S., in his *Directory of the North Pacific Ocean, 1870*, says (Page 445), “In justice to Russia it must be said that no country had a better title to the territory,” and he discredits Meares’ purchase of land in Nootka Sound, Vancouver Island.

It is painful in this connection to quote the declaration of the Duke of Wellington as to Russia’s right of discovery, but it is introduced to exhibit the lack of geographical knowledge of the Northwest coast which prevailed in some quarters during the negotiations.

In his *Confidential Memorandum to Count Nesselrode*, October 17th, 1822,† he writes:

“Although we might, on good grounds, dispute with Russia the priority of discovery on these continents, we contend that the much more easily proved, more conclusive, and more certain title of occupation and use, ought to decide the claim of sovereignty.

“We can prove that the English North-West Company and the Hudson’s Bay Company have for many years established forts and other trading stations in a country called New Caledonia, situated to the west of a range of mountains called Rocky Mountains, and extending along the shores of the Pacific Ocean from latitude 49° to latitude 60°.”

He then refers to Establishments of the Company on “MacKenzie’s River”; and beyond the ability to dispute the right of

\**Journey round the World: 1841-42.* Two volumes, 1847. Volume I, page 209. The title in full is given elsewhere.

†*Fur Seal Arbitration:* Volume IV, page 389.

discovery, "we have the indisputable claim of occupancy and use for a series of years."

In direct contradiction to these assumptions the Russian Plenipotentiaries in their "final decision"\*\* declare "qu'au reste, d'après le témoignage des Cartes les plus récentes publiées en Angleterre, il n'existe aucun Établissement Anglais ni sur la côte même du continent ni au nord du 54° de latitude septentrionale."

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\* *Fur Seal Arbitration:* Volume IV, page 430.

## THE ORGANIZATION AND EARLY HISTORY OF THE RUSSIAN AMERICAN COMPANY.

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For nearly seventy years the Russian American Company carried on trade with the native inhabitants and foreign vessels and foreign trading companies throughout the northern coasts of the Pacific, east and west, and through the Bering Sea and the Arctic.

In the Fur Seal Controversy (1892), the organization and methods of the Company were the subject of much discussion, and from Volume II we may appropriate a few words of its history. (Pages 34-36.)

"The Russian American Company was the outgrowth of the numerous trading associations, which, soon after the discoveries of 1741, began to develop the lucrative fur trade in the Aleutian Islands and Bering Sea. The rivalry and competition which grew up between them proved in many ways disastrous, and resulted eventually in the placing of the fur trade of the Colonies under the control of a single powerful organization. This was accomplished in 1799, in which year a ukase was issued, creating the 'Russian American Company' and containing its first charter.

"This ukase invested it with special and exclusive privileges for a period of twenty years on the shores of northwestern America, between latitude 55° N. and Bering Strait, on the Aleutian Islands, the Kurile Islands and the islands of the Northeastern or Bering Sea. To it was reserved the exclusive right to all products of the chase and of commerce in those regions; and it was specially authorized to take possession on behalf of the Imperial Government of newly discovered countries, both to the north and to the south of latitude 55° on the coast of America. It was authorized to establish agencies within and without the empire, and to use a seal and a flag bearing the Imperial coat of arms. Its chief place of business, which was originally at Irkutsk, was soon transferred to St. Petersburg, where its shareholders, none of whom were allowed to be foreigners, embraced members of the Imperial family and the high nobility.

"While the privileges conferred by this charter were very great, the Company was, on the other hand, burdened with some heavy obligations. It was compelled at its own expense to carry on the government of the region over which its privileges extended, to maintain courts, the church, and a small military force, and, at a later period, to hold ready at various points on the coast, provisions and stores for the use in cases of emergency, of the naval vessels or troops of the Russian Government."

A Chief Manager or Governor was chosen for the purposes of administration; he was to be an officer of the Army or Navy, and his powers were absolute within the territory over which the Company exercised jurisdiction; and he was to reside at Sitka.

The Company paid no royalty or rent to the Government, but in the exchange of furs for teas on the Chinese frontier, the Government collected large duties upon the teas.

"In short, the Company administered both government and trade throughout the whole of the territory over which it was given control." (Page 37.)

## THE UKASE OF 1821.

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This remarkable document was confessedly prompted and drawn up by the Russian American Company on account of the illicit traffic, in spirituous liquors and fire-arms, with the natives by the foreign fur traders in the North Pacific. The original was signed by the Directing Senate and endorsed by the Emperor, "Be it accordingly, Alexander." It was an unequivocal claim by Russia to all the fishing and fur hunting grounds of the North Pacific and Bering Sea.

It was made known on the 4th of September, 1821, and nine days later, the Emperor renewed the charter of the Russian American Company for twenty years, with some additions to the previous charter.

In 1820 all foreigners had been ordered to leave Kamchatka and Okhotsk; and were forbidden from enjoying any intercourse or trade with the native inhabitants; as well as from visiting the waters frequented by sea otters and fur seals, under penalty of the most severe measures, including the confiscation of ships and the imprisonment of crews engaged in illegal traffic. All force was to be used to drive foreigners from these waters.

We propose to give two sections of this historic document.\*

"Section I. The pursuits of commerce, whaling, and fishery, and of all other industry, on all islands, ports, and gulfs, including the whole of the north-west coast of America, beginning from Behring's Straits, to the 51st degree of northern latitude, also from the Aleutian Islands to the eastern coast of Siberia, as well as along the Kurile Islands from Behring's Straits to the south cape of the Island of Urup,† viz., to the 45° 50' northern latitude, is exclusively granted to Russian subjects.

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\**Fur Seal Arbitration at Paris.* Volume IV, 1893; pages 214-221, 222-227, 247, 370-375. Volume I, pages 16 and 24.

† The Southern Cape of the Island of Urup (now belonging to Japan) is in latitude 45° 37½'. See *Notes on the Kuril Islands.* By Captain H. J. Snow, F.R.G.S. London: John Murray, Albemarle Street. 1897. It is the third island northeasterly from Yezo.

"Section 2. It is therefore prohibited to all foreign vessels not only to land on the coasts and islands belonging to Russia, as stated above, *but also to approach them within less than 100 Italian miles*. The transgressor's vessel is subject to confiscation, along with the whole cargo."

Further on, section 26 directed that commanders of Russian vessels were to search vessels that were even suspected; and if the vessel resisted, then she was to be considered an enemy and treated as such by naval law.

So far as the Ukase affected the seas and their shores, Russia must have regarded it as merely declaratory of existing rights; and in the instructions of September 21st, 1821, to the Chief Manager of the Russian American Company, he was assured that a squadron of naval vessels would visit the North Pacific to protect their exclusive privileges. The Company even looked forward to reduce the catch of fur seals on the Pribilof Islands.

The rights and privileges which had been granted to the Russian American Company by the Ukase of 1799, and which had been jealously guarded, were, by this new Ukase, to be strengthened by the presence of naval vessels having supreme authority. "We can now stand upon our rights, and drive from our waters and ports the intruders who threaten to neutralize the benefits and gifts most graciously bestowed upon our Company by His Imperial Majesty."

The Ukase of 1799 had carried the jurisdiction of Russia southward to latitude  $55^{\circ}$ , and had called forth no protests; it was only when the 1821 Ukase carried the latitude to  $51^{\circ}$  that the fur traders of the United States and Great Britain were aroused, for it is well known that the traders from these countries had been busily engaged in traffic with the natives from Dixon Entrance in  $54^{\circ} 40'$ , to Queen Charlotte Sound in latitude  $51^{\circ}$ , as well as through the Queen Charlotte Archipelago.\*

The one hundred miles limit† was chosen because a precedent

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\**Fur Seal Arbitration*: Volume I, pages 132-152.

† The Italian mile is the geographical mile, or one minute of latitude, equal to 6080.0 feet.

had been found in the Treaty of Ghent that reached thirty marine leagues. Moreover, it covered the interrelation of the islands of the eastern part of the Bering Sea to each other and to the mainland and the Aleutians; it also covered the Kadiak group. It was particularly important in protecting the Saint Paul and Saint George Islands upon which the fur seal herd spent the breeding season.

This Ukase of 1821 had been pushed forward by the Managers of the Company at St. Petersburg, upon insufficient evidence, and was doomed to commercial failure.

It had been adopted by the Government without exhaustive consideration of the rights or claims of other parties, and accompanied by threats that no nation could bear. It was a political blunder. It almost solicited attack.

In the first place it broke up the traffic relations of the Russian American Company with the foreign traders on the Northwest Coast, and cut off the supplies of provisions and other commodities brought by these foreign vessels from their home ports. This was so serious a matter that an order was soon issued from St. Petersburg to open the port of Sitka to foreign vessels, and business revived.

In the second place, the American and British trading companies called the attention of Congress and Parliament respectively to the arbitrary measure, and both Governments took immediate and decided action. Neither the United States nor Great Britain had any territorial rights on the Northwest Coast beyond the latitude of  $54^{\circ} 40'$ , if that far. On the other hand, Russia had the right of discovery and occupation, but both countries were determined that Russia should not control the North Pacific and Bering Sea. Nevertheless, it was considered sound policy to obtain from her a revocation of the Ukase by friendly words through some happy elasticity of expression that would not wound her proper pride.

In the proceedings which resulted from these protests there appeared another "power behind the throne" that had a far-seeing and far-reaching object in view. This was the Hudson's Bay

Company. It had trading stations east of the unexplored regions of the Rocky Mountains, but had never ventured towards the Pacific Coast, in these latitudes, although Alexander Mackenzie had, after reaching the mouth of the Mackenzie from Montreal, returned by the same route to Fort Chipewyan and thence southwestwardly to the Cascade Canal of Vancouver making into the land from the Pacific about latitude  $52^{\circ} 20'$ , but finding nothing to interest the Company, had returned direct to Montreal.

After 1821, the Hudson's Bay Company saw its opportunity and brought all its powerful influence to bear upon the home Government to make territorial claims on the Northwest Coast; the proof positive of this assertion is seen in Mr. George Canning's letter of April 24th, 1824, to Sir Charles Bagot: "I have referred the whole question of this negotiation anew to the Governors of the Hudson's Bay Company, whose report I expect shortly to receive."\* A remarkable confession.

Russia and Great Britain were thus urged forward by two powerful, rich and rival fur trading companies; and although the Ambassadors of both countries finally signed the Convention, they did so only when these companies were satisfied with the terms. (We shall elsewhere show that they exerted an equal power with their respective Governments upon the naval operations of the Northwest Coast during the Crimean War of 1854-55.)

Fortunately for the proper understanding of these prolonged negotiations, and their main object, there are sources of contemporary information that declare this object, and the *modus operandi* by which it was obtained.

As early as February, 1822, the Russian Ambassador Poletica at Washington had vindicated the Ukase. As the effects upon traffic, and upon the refusal of the United States and Great Britain to admit such rights, became better known to Russia, the Ukase was quietly abandoned; but the United States and Great Britain determined to have a revocation published.

Mr. George Canning, writing to the Russian Ambassador, Count Lieven, at London, September 12th, 1824, says: "I know the

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\**Fur Seal Arbitration*: Volume IV, page 430.

Ukase is practically suspended, but we have no document to show it is so. And we have, as your Excellency knows, purposely abstained from requiring any, in the hope that the subject of the Ukase would be merged in the larger arrangements respecting the north-west coast of America.”\*

At a later date, December 8th, 1824, Mr. George Canning wrote to Mr. Stratford Canning, then appointed Plenipotentiary to Russia, to conclude the discussions that had arisen about the promulgation of the Russian Ukase of 1821, and said: “You \* \* \* will declare without reserve that the point to which alone the solicitude of the British Government and the jealousy of the British nation attach any great importance is the doing away (in a manner as little disagreeable to Russia as possible) of the effect of the Ukase of 1821.

“That this Ukase is not acted upon, and that the instructions have been long ago sent by the Russian Government to their cruisers in the Pacific to suspend the execution of its provisions is true; but a private disavowal of a published claim is no security against the revival of that claim.”

“ \* \* \* We do not desire that any distinct reference should be made to the Ukase of 1821.”

“This stipulation stands in the front of the Convention concluded between Russia and the United States of America; and we see no reason why upon similar claims we should obtain [*sic*] exactly the like satisfaction.”†

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\* *Fur Seal Arbitration*: Volume IV, page 443.

† *Fur Seal Arbitration*: Volume IV, page 446.



WHAT WERE THE AVAILABLE MAPS OR CHARTS OF  
THE NORTHWEST COAST OF AMERICA, AT  
THE EPOCH OF THE FIRST NEGOTIA-  
TIONS BETWEEN RUSSIA AND THE  
UNITED STATES, AND RUSSIA  
AND GREAT BRITAIN IN

1822-1825.

The only available chart was that of George Vancouver, Esq., who had executed a very remarkable survey or reconnaissance of the Northwest Coast of America from latitude 30° along the Continental shore to and including Cooks Inlet. This supreme work was accomplished in the years 1792, 1793 and 1794, and published by the Government in 1798. His work consists of three large quarto volumes illustrated, and accompanied by a large atlas in which there are eight charts, each larger than the atlas, with many inset harbors, and four sheets of views along his line of exploration. Considering the vessels, instruments and means at his disposal, the intricate nature of the navigation, the unknown currents, the adverse climate, and the frequent hostility of the natives, it is a marvel how much was accomplished. Fortunately he was supported by officers who were singularly devoted to the duties of their station. Vancouver did not live to see his work in print.

Captain James Cook had preceded him in 1778, but except at Friendly Cove, Nootka Sound, his exploration does not exhibit details until he had reached the latitude just south of Sitka Sound. His work beyond that was a new revelation of the outline of the Northwest Coast, but he did not enter the Archipelago Alexander. He examined Prince William Sound and Cook's River (Inlet) and penetrated to the Arctic in search of the passage between the Pacific and the Atlantic.

The Spaniards had been carrying on explorations in the northwest from the first high latitude of Don Juan Perez in 1774 to and including the time of Vancouver. They had made more extensive surveys than he because they had examined all the islands and

channels from Puget Sound to the head of Lynn Canal, and had made an examination of part of Prince William Sound. Unfortunately their results were not published by the Spanish Government, and have not been published. They did not have the same particular object in view that controlled Vancouver, or if they had, they did not reveal it.

In 1792, Vancouver met the Spanish explorers in the Gulf of Georgia; and again in 1793, he met them in the Archipelago Alexander. At every meeting they cheerfully exhibited their charts to him, and all the material he received from them is drawn upon his charts in fine outline. He generously acknowledges their many courtesies.

That Vancouver had access to the charts of Caamano in 1793, is established by his reference to them in Volume II seven times between pages 325 and 381; and in other places he refers to the charts of Quadra, Fidalgo, Saavedra and others.

The French expedition under La Pérouse was on the Northwest Coast in 1786; touched at the entrance to Yakutat Bay; entered Lituya Bay and met with disaster; and made no reconnaissance of the Archipelago Alexander. In 1799 the French Government published the chart of the Northwest Coast by Vancouver.\* The narrative and charts of La Pérouse had been published by the Government in 1797.

There were, therefore, no original and trustworthy charts of the Northwest Coast except those of Vancouver, which had been published twenty-six years before the Convention between Russia and the United States in 1824-25. Furthermore, it is seen in the negotiations of the Convention that the names of places and the latitudes and longitudes are those of Vancouver. Of the names of places, we find Cross Sound, Lynn Canal, Chatham Strait, Duke of York's Island, Duke of Clarence's Strait, Prince of Wales Island (for Prince of Wales Archipelago). There were other charts used by the Russian and British Plenipotentiaries, but they were

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\* The French Government published an edition of Vancouver's narrative and charts. They are identical reproductions. See *Senate Ex. Doc. No. 146, 50th Congress, 2nd Session*, March 2, 1889.

all based upon the charts of Vancouver; he was the sole authority, and they are all on so large a scale that Tebenkof's reproductions of them as the basis of his atlas of 1849-52, were the only charts used in 1867 upon the Northwest Coast.

We find the following references to the other charts before the negotiators, or available to some of them:

Sir Charles Bagot wrote to the Marquis of Londonderry from St. Petersburg, November 17th, 1821,\* and closed by saying that he forwarded a "Map of the northwest coasts of America, and the Aleutian and Kurile Islands, which has been published in the Quarter-Master-General's Department here, and upon which I have marked all the principal Russian Settlements."

He also wrote to Mr. George Canning, Secretary of the Foreign Office, from St. Petersburg, August 19th (31st), 1823: "The Russian Settlement of Sitka, to which I am told the Russian Government pretends to attach great importance, is not laid down very precisely in the Map published in 1802 in the Quartermaster-General's Department here, or laid down at all in that of Arrowsmith, which has been furnished to me from the Foreign Office."†

And, again, in October 17th (29th), 1823: "The British Government would, I thought, be satisfied to take Cross Sound, being about the latitude of  $57\frac{1}{2}^{\circ}$ , as the boundary between the two Powers on the coast, and a meridian line drawn from the head of Lynn Canal, as it is laid down in Arrowsmith's last map, or about the  $135^{\circ}$  degree of west longitude, as the boundary in the interior of the continent." (page 412.)

We herewith submit a description of the Russian Map of 1802: "Map of the North-West Coasts of America, and the Aleutian and Kurile Islands: Published in the Quartermaster-General's Department. St. Petersburg, 1802." The size is 33 inches by 20 inches.

This map is on the Mercator projection and embraces the North Pacific, from latitude  $40^{\circ}$ , Bering Sea, and part of the Arctic to latitude  $70^{\circ}$ , and the mouth of the Mackenzie River. It is only

\* *Fur Seal Arbitration*: Volume IV, page 370.

† *Fur Seal Arbitration*: Volume IV, pages 407-9.

useful as a general chart; all the Northwest Coast is taken from Vancouver and Cook, but not all of Cook in the Arctic. Vancouver's mountains are exhibited, and some of his names. MacKenzie's "Conventional Mountains" are shown in the interior. The scale is quite small; the Archipelago Alexander from Portland Canal to Lynn Canal is only three and a quarter inches long, against Vancouver's twenty-nine inches; and it is a little more than one-half the scale of his general map of that region. Off Queen Charlotte's Island there has been written "*Noms Anglois d'après Vancouver*," and then New Albion, etc. Within the upper margin has been written "*Inclosure in Sir C. Bagot's desp. No. 56, Nov. 17, 1821*," and Sir Charles says that he has marked upon it "all the principal Russian Settlements." \* A reproduction of the chart is found in Volume V, of the Fur Seal Arbitration.

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\* *Fur Seal Arbitration*: Volume IV, page 370.

THE SPECIAL PURPOSE OF VANCOUVER'S EXPLORATIONS ON THE NORTHWEST COAST.—HIS METHOD OF REPRESENTING SOME OF THE PHYSICAL FEATURES OF THE COUNTRY AND COAST.\*

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Under the conditions just mentioned, it is necessary to study the charts to learn what certain conventional characters thereon represent; but to understand the import of the features depicted, we should fully comprehend the purpose for which his voyage of exploration and discovery was undertaken.

This voyage was "undertaken by His Majesty's command, principally with a view to ascertain the existence of any navigable communication between the North Pacific and North Atlantic Oceans." (Title to Narrative.) For this purpose "the Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland" \* \* \* directed him "to repair to the north-west coast of America for the purpose of acquiring a more complete knowledge of it." (Introduction, page xvii.) And to accomplish this, he was not only to ascertain the general line of the sea coast, but the direction and extent of all such considerable inlets, whether made by arms of the sea or by the mouths of large rivers, etc. He was particularly enjoined to examine the "supposed Straits of Juan de Fuca; (Introduction, page xx) and moreover he was "required and directed not to pursue any river or inlet further than it shall appear to be navigable by vessels of such burthen as might safely navigate the pacific ocean." (page xix.) These instructions are dated March 8th, 1791.

\* *A Voyage of Discovery to the North Pacific Ocean and Round the World*; in which the Coast of North-West America has been carefully examined and accurately surveyed. Undertaken by His Majesty's Command, principally with a view to ascertain the existence of any navigable communication between the North Pacific and the North Atlantic Oceans; and performed in the years 1790, 1791, 1792, 1793, 1794, and 1795, in the *Discovery Sloop of War*, and *Armed Tender Chatham*, under the command of Captain George Vancouver. In three Volumes. London: Printed for G. G. and J. Robinson, Paternoster-Row; and J. Edwards, Pall-Mall. 1798. (Quarto, about five hundred pages each volume, with illustrations and a large atlas.)

Vancouver implicitly followed his instructions and completed a survey of exploration and discovery unique in the published history of geography.

His narrative gives us frequent remarks about the delineation of the "Continental shore;" every officer, away for weeks at a time on boat duty, was imbued by this governing idea. His charts state that "the Continental shore has been correctly traced and determined;" and no investigator may ever doubt "that scrupulous veracity from which Captain Vancouver never departed." (Advertisement, Volume I.) Even in Prince William Sound, which he found surrounded by lofty snow mountains, the boats of Whidbey and Johnstone searched to the head of every fiord to the fronts of the glaciers, although that was, as he writes, "only secondary;" yet, it was done "without swerving from our principal object, viz., *the survey of the shore of the Continent.*" (Volume III, Page 187.)

In the dedication of the Narrative to the King, the editor, his brother, writes, "that within the limits of his researches on the continental shore of North-west America, NO INTERNAL SEA OR OTHER NAVIGABLE COMMUNICATION whatever exists, uniting the Pacific and Atlantic Oceans."

In criticising Vancouver's charts to gather some of their characteristic features, we see they clearly indicate where a shore line or a coast line was determined from the vessel under way, and where it was more closely delineated from the boats. In the latter case there is much of detail, and the narrative confirms this. The outlines that were obtained from the Spanish explorers are easily recognized. They indicate the shore line or coast line that he did not visit or did not see. Certain conventional methods were employed in the projection of the mountain ranges as seen from seaward. He improved upon the method adopted by Cook.

As a rule he laid down in a conventional manner a range of mountains along the whole Pacific Coast. In California and Oregon, the line is usually a few miles inland; in British Columbia and Alaska, much farther. Even in the general and in the more detailed charts of the same regions, the distances of the range differ. He evidently intended to convey the information that behind the Continental shore there was a range, or ranges, of

mountains at distances obtained by estimation, because he could not determine them with the means he had, nor were their distances necessary for his work. Through the Archipelago Alexander, the distances of the mountain range are laid down from ten to twenty-four miles inside the coast. On the ocean coast, as far west as the Saint Elias and Fairweather ranges, he estimated the distances of the notable peaks of the same names as twenty and ten miles from the water; both nearly correct.

Vancouver's method of exhibiting all mountain ranges as he saw them from the water should be borne in mind in its bearing upon the words of the Treaty of 1825 that refer to "la crête des montaynes situées parallèlement à la Côte." This was one of the governing features seized upon by the contracting Powers.

We elsewhere show that his method has been carried out to the present day.

All the circumstances considered, this great navigator, explorer and discoverer, gave the world a remarkable series of charts, and his narrative may be followed, as we have tested it through many years, with the satisfying sense that he was stating the truth as it appeared to him; and the investigator may never doubt "that scrupulous veracity from which Captain Vancouver never departed."

It is here proper to say that the able Russian navigator and cartographer, Captain Tebenkof, in 1848, based his great atlas on Vancouver's charts; and that as late as 1867 United States Government vessels sailed the intricate channels leading to and through the Archipelago Alexander by the charts based on Vancouver. We were on the United States revenue steamer *Lincoln* when the Russian pilot, M. M. Kadin, took her from Victoria to Sitka by the Tebenkof charts.

In 1865, the British Admiralty published the large-scale chart No. 2431 of the Archipelago Alexander, based on Vancouver and Russian surveys. This has been republished as new details have been gathered to 1888. In 1869, the Hydrographic Bureau of the United States Navy Department published chart No. 225 of the Archipelago from the British chart No. 2431.



## DESCRIPTION OF THE ARCHIPELAGO ALEXANDER.

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Geographically, the Archipelago Alexander is the northern development of that long line of islands and straits that reach from the head of Puget Sound in latitude  $47^{\circ} 03'$  to the head of Taiyá Inlet in latitude  $59^{\circ} 29'$ , and having a general direction to the northwest.

The Archipelago so named\* is restricted to the islands and straits and inlets northward of Dixon Entrance in latitude  $54^{\circ} 40'$ , through 375 nautical miles in a straight line with a breadth of 90 miles between the outer coast and the main line of the Continental shore. There are great straits through the many hundreds of islands, capable of deep draught navigation; the channels are safe highways; anchorages are numerous; the walls of the islands are rocky, bold, and attain elevations of three thousand feet. The measured shore line of this Archipelago reaches nearly eight thousand miles.

Great, deep fiords with bold shores intrude into the Continental shore for many miles, and that shore is generally bold, high, rugged. All of the shores of the islands and mainland are marked by a growth of trees wherever they can get a foothold up to an elevation of about two thousand feet above the sea.

The principal fiords, inlets and canals that penetrate the Continental shore north of latitude  $54^{\circ} 40'$ , are the following, and reckoning the distances in a straight line from the entrance to the head:

Portland Inlet and Canal, 76 nautical miles with a depth of over 100 fathoms of water to near the head.

Boca de Quadra, 23 nautical miles; 54 fathoms near the head.

Burroughs Bay, 5 nautical miles to mouth of Unuk River; 97 fathoms close to head.

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\* In 1788 called by Meares the "Great Northern Archipelago," page 212, his narrative.

Vancouver named several minor archipelagoes in the Archipelago Alexander. We applied the present name in 1867. *House of Representatives, 40th Congress, 2d Session, Ex. Doc. No. 177*, page 234.

Bradford Canal, 13 nautical miles; 65 fathoms near head.

Blake Channel, 15 nautical miles; 47 fathoms near head.

Conte Bay, 5 nautical miles; 39 fathoms.

Thomas Bay, 7 nautical miles; 48 fathoms.

Port Houghton, 13 nautical miles; 48 fathoms.

Endicott Arm from Port Snettisham, 23 nautical miles; 122 fathoms near head.

Tracy Arm from Port Snettisham, 16 nautical miles; 157 fathoms near head.

North Arm of Port Snettisham, 11 nautical miles; 103 fathoms near head.

Taku Inlet, 16 nautical miles; 56 fathoms at head; it receives the Taku River, navigable for canoes and small boats about thirty-five miles (Douglas).

Berners Bay, 4 nautical miles; 30 fathoms at head.

Taiyá Inlet, 12 nautical miles from head of Lynn Canal; 60 fathoms near head; it carries 230 fathoms.

There are no streams that break through the Continental shore with waters deep enough for even moderately sized steamboats. The Stakheen is the largest stream breaking through the mountains that lie between the interior plateau region and the waters of the Archipelago. That river has been navigated with difficulty, when not frozen, by a small steamboat for about one hundred and twenty-five miles. It is full of bars and riffles, and in the lower reaches it has a current of four or five miles per hour; before the upper part is reached by the steamboat there are two reaches where the current runs ten miles per hour.

At the mouths of the river the amount of debris brought down has blocked direct navigation of the eastern straits for over ten miles.

## NEGOTIATIONS LEADING TO THE ADOPTION OF THE LISIÈRE.

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In February, 1823, Sir Charles Bagot, British Ambassador to Russia, received his instructions from Mr. George Canning, Secretary of the Foreign Office, in relation to the Russian Ukase of 1821, and in relation to establishing a boundary line between the Russian and British possessions in Northwest America.

On the 19th of August, 1823, in his letter to Mr. George Canning, he wrote that he had informed Count Nesselrode "that our pretensions had, I believed, always extended to the 59th degree of north latitude, but that a line of demarcation drawn at the 57th degree would be entirely satisfactory to us, and that I believed the Russian Government had in fact no Settlements to the southward of that line."\*

But he was in doubt about the last assertion "as the Russian Settlement of Sitka, to which I am told the Russian Government pretends to attach great importance is not laid down very precisely in the map published in 1802 in the Quartermaster-General's Department here, or laid down at all in that of Arrowsmith, which has been furnished to me from the Foreign Office."

We continue to follow Sir Charles' proposition in his letters to Mr. Canning. He says he had two interviews with M. Poletica "upon the subject of territorial boundary as it regarded ourselves, and I then gave him to understand that the British Government would, I thought, be satisfied to take Cross Sound, lying about the latitude of  $57\frac{1}{2}$ °, as the boundary line between the two Powers on the Coast, and a meridian line drawn from the head of Lynn Canal, as it is laid down on Arrowsmith's last Map, or about the 135th degree of west longitude, as the boundary in the interior of the continent."† Then he acknowledges that he had "put in a claim to something more than I am instructed to do in your despatch above referred to, [because] I thought that it

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\* *Fur Seal Arbitration*: Volume IV, page 409.

† *Fur Seal Arbitration*: Volume IV, page 412.

might be for the advantage of the negotiation if I reserved the proposition of the 57th degree to a later period of it, and, judging from the Map, it appeared to me that it might be desirable to obtain, if possible, the whole group of islands extending along the coast.”\*

He had been instructed to propose the parallel of 57° as a boundary line. The maps in their possession did not have Sitka located thereon; it was founded after Vancouver’s time.

Both propositions were in direct conflict with the rights of discovery and of continuous occupation, but the prize was worth contending for.

Cross Sound is in latitude 58° 10' and the distance, direction and waters thence to the head of Lynn Canal were not described; as happened later on between Cape Muzon and the entrance to Portland Canal, in Article III, paragraph two of the Convention of 1825.

Sitka is in latitude 57° 03' and had been the center of trade and exploration through the Archipelago; and seventeen years before, Governor Baranof had extended the Company’s operations to Lower California in latitude 28°, and had built the fortified establishment at Fort Ross, only forty-two minutes of latitude north of the Golden Gate at San Francisco.

Sir Charles then proposed the line from Christian Sound “through Chatham Straits to the head of Lynn Canal, thence north-west to the 140th degree of longitude west of Greenwich and thence along that degree of longitude to the Polar Sea.” That would have deprived Russia of two-thirds of the Archipelago. Chatham Strait runs almost north to the head of Lynn Canal in a direct line two hundred and twenty geographical miles.

The Russian Plenipotentiaries rejected this and would yield nothing north of 54° 40', which was only forty miles south from Chirikof’s landfall of 1741, and the highland of which cape (Muzon) he could have seen. They proposed that from the southern extremity of Prince of Wales Island the line should “follow Portland Channel up to the mountains which border the coast,” thence

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\**Fur Seal Arbitration*: Volume IV, page 413.

"ascend along these mountains parallel to the sinuosities of the coast as far as  $139^{\circ}$ , and thence northward." \* They were inflexible; they had withdrawn their claims from the parallel of 51 degrees, and then stood for their unimpeachable rights of discovery, usage and occupation.

It, therefore, became a matter of concern what should be the breadth of the lisière or coast-strip. Mr. George Canning suggested that south of the head of "Lynn's Harbour" it might be expedient to assign an eastern "limit of fifty or one hundred miles from the coast," † as proposed by the Hudson's Bay Company, but on no account would he admit "the Russian territory to extend to any point to the Rocky Mountains." Should he make that concession, it would form a complete interruption between the British territory south of the head of Lynn Canal and their possessions to the eastward of longitude  $135^{\circ}$  along the course of the Mackenzie River.

The Russian Plenipotentiaries still persisted in their last concession of the adoption of the lisière, and Sir Charles made the extraordinary plea that such Russian ownership of the border would deprive Great Britain of the sovereignty of all the inlets and bays along the Continental shore of the Archipelago, "whereof several (as there is every reason to believe) communicate directly with the establishments of the Hudson's Bay Company, and consequently of essential importance to its commerce." ‡ The Vancouver charts certainly contravene such a bold claim. That explorer had examined every inlet along the Continental shore of the whole coast for a Northeast passage; and, moreover, the Hudson's Bay Company had no establishment west of the Rocky Mountains, nor did any of their Factors know the extent, location or character of that range. Furthermore, Great Britain had never put forward a claim of sovereignty to that region; Spain and Russia antedated her explorers.

Then Sir Charles offered to accept a line traced northwestwardly

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\* *Fur Seal Arbitration*: Volume IV, page 427.

† *Fur Seal Arbitration*: Volume IV, page 421.

‡ Prof. Moore's paper, page 510.

one hundred and fifteen miles "along the middle of the channel which separates Prince of Wales and Duke of York Islands from all the islands situated to the north of the said islands until it touches the mainland." This easterly strait between Zarembo Island (part of Duke of York Island) on the south, and Kupreanof and Mitkof Islands on the north, was not named by Vancouver, and is not named on the United States Coast Survey chart 8050 of 1895. It is twenty-five miles long to Fort Wrangell, near the mouth of the Stakheen.

The Russian Plenipotentiaries refused these terms, and adhered to the Portland Canal as their ultimatum. They were determined to control the Archipelago and the Continental shore, and as the breadth of the lisière had not been determined upon, they offered as a compromise to prolong the lisière from beyond the head of Lynn Canal to the 140th meridian instead of the 139th. Concerning this Count Nesselrode in his instructions to the Russian Ambassador, Prince Lieven, at London, declared, "Russia cannot stretch her concession further. She will make no others;" April 17th, 1824; (Moore, page 511); and he significantly adds, "It cannot be reiterated with sufficient positiveness, that, according to the most recent charts, England possesses no establishment either up to the latitude of Portland Channel, or on the shore of the ocean itself."

At this point of the diplomatic negotiations, Sir Charles Bagot was relieved and Mr. Stratford Canning appointed Ambassador at St. Petersburg.

Then followed propositions by both of the Plenipotentiaries as to the breadth of the lisière, and finally that of Mr. Canning was adopted. This was to follow "the crest of the mountains in a direction parallel to the coast," (Moore, page 512) but should the mountains be found beyond ten leagues from the coast, then the boundary was to be "a line parallel to the sinuosities of the coast, so that the line of demarcation shall not be anywhere more than ten leagues from the coast." (Moore, page 512.)

These conditions formed the basis of that part of the Convention of 1825 which relates to the sovereignty of the Archipelago

Alexander and the lisière from Portland Canal to the meridian of 141 degrees. It was evidently satisfactory to each of the rival fur trading companies. Judge Glass says, page 553, "The delay might have been and doubtless was, partly owing to the interference and influence of the Russian-American Company of St. Petersburg, and the Hudson Bay Company of London, and by many other causes." Mr. George Canning had admitted that he consulted the latter Company.

In this connection we may here refer to the knowledge which the Plenipotentiaries of the two countries had of the geography of the region then under dispute.

The Hon. David Glass, Q. C., in his reply to the article upon "The Alaskan Boundary" by Professor J. B. Moore, formerly Assistant Secretary of State, takes exception to the expression that the negotiators, instead of attending to geographic details, adopted general rules, and asserts that "Count Nesselrode and George Canning were men of the highest attainments; they had full knowledge of the coast (as admitted by Mr. Moore) and this was the only part about which there was any negotiation, on one side or the other."<sup>\*</sup>

We admit their undoubted ability, but as a matter of fact neither of them had any special knowledge of the geographical details of that region. The Russian Ambassador must have known more from the records of the Russian American Company than the British Ambassador could possibly learn from other sources. Beyond that the sum of their knowledge was, necessarily, gathered from Vancouver's charts and probably from his narrative. The charts formed a graphic and unique condensation of his volumes of clear narration, and the "highest attainments" of the Ambassadors could not surpass the geographical knowledge of the great navigator and explorer. They were ignorant of the Chilkaht River, of the extension of Taiyá Inlet beyond Vancouver's Lynn Canal, and of the great arms that stretched inland from Snettisham and Holkham Bays. Neither they, nor Vancouver, nor

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\* Prof. Moore's article in *North American Review*, October, 1899.

Judge Glass' article in the *Anglo-American Magazine*, December, 1899.

Whidbey, nor Johnstone, knew of the existence of the Stakheen. The Plenipotentiaries knew of the mountains only from Vancouver's Narrative and Charts, and it is not improbable they may have deemed them the western flank of the Rocky Mountains.

The extent of Mr. George Canning's geographical knowledge may be drawn from Mr. Stapleton's biography, page 120. "The claims of strict right should be provisionally waived by both Parties, and that the adjustment should be made with the sole principle of their mutual convenience. That, of Great Britain, on the one hand, required the posts on the Continent belonging to the Hudson's Bay Company, the embouchures of such rivers as afforded an outlet for the British trade into the Pacifick, and the two banks of the Mackenzie River."

And it is well to quote still further from Judge Glass, page 551: "The actual geographical features of the territory were, to a great extent, unknown. Vancouver had navigated and charted the coast, but the interior was unexplored. \* \* \* It was well known, however, to the negotiators of the convention in 1825, that the mountain ranges might be broken or that, instead of following closely the windings of the coast, they might extend far inland." \* \* \* "The facts are that the treaty makers knew that there were no mountain ranges, and therefore the treaty directs that the line shall follow 'the summits of the mountains situated parallel to the coast,'" and on page 553, he says, "there is no doubt that the interior was unknown at the time, so little, indeed, that men of prominence and learning at that period had no accurate knowledge of it. George Canning, in his first instructions to Sir Charles Bagot, guarded him against allowing the line to go as far east as the Rocky Mountains." Judge Glass misquotes summits for summit; thereby conveying an erroneous meaning.

THE VIEWS OF MR. GEORGE CANNING AND MR.  
STRATFORD CANNING UPON THE NEGO-  
TIATIONS.—PART OF THE INSIDE  
HISTORY.

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The foregoing condensed statement of the progress and termination of the negotiations may well be supplemented and elucidated by the opinions of the Secretary of the Foreign Office, Right Honourable George Canning, and of Right Honourable Stratford Canning, Ambassador to Russia, as published by Augustus Granville Stapleton, Esq., and Mr. Stanley Lane-Poole, respectively.

We begin with those of Mr. George Canning as expressed by Mr. Stapleton in his *Political Life*, Volume III, page 144 *et seq.*\*

“*North-West Coast of America.* The Negotiations carried on under Mr. Canning’s directions on the subject of the North-West Coast of America, grew out of the Ukase, already mentioned, which was issued by the Russian Government in September, 1821.”

The biographer then explains the condition of the relations of Great Britain, Russia and the United States, “the only three Powers who had any territorial claim on the coast.”

“The exact limits of the territorial possessions of either of the three parties had never been accurately defined.” (Page 115.) \* \* \* “The importance of these Coasts consisted in their extensive fisheries, and the trade in furs, which was carried on with the inhabitants—advantages which up to this time had been common to the three Powers. The most southern Settlement of Russia on the coast, or rather on an island close by the coast, was Sitka, in latitude 67° N.” [should be 57°]. (Page 115.)

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\* *The Political Life of the Right Honourable George Canning, from his acceptance of the Seals of the Foreign Department, in September 1822, to the period of his death in August, 1827.* \* \* \* By his private Secretary, Augustus Granville Stapleton, Esq. Second edition \* \* \* in three volumes. London, printed for Longman, Rees, Orme Brown, and Green, Paternoster Row. 1831. See Volume III, pages 114-126, *North-West Coast of America.*

"This was the condition of affairs when the Ukase in question made its appearance; in which document the Emperor of Russia indirectly asserted an exclusive right of sovereignty from Behring's Straits to the 51st degree of North latitude, on the West Coast of America, and to the 45th degree North on the opposite coast of Asia, and (as a qualified exercise of that right) prohibited all foreign ships, under pain of confiscation, from approaching within one hundred Italian miles of those coasts." (Page 116.)

"By this Ukase, therefore, Russia appropriated to herself many degrees of latitude, in which were actually established posts belonging to the servants of the British Hudson's Bay Company; extended Her territorial rights over the adjacent seas to an unprecedented distance, and closed a previously unobstructed passage (Behring's Straits) at the very moment when it happened to be the object of important discoveries for the promotion of the general commerce and navigation of the World." (Page 116.)

It is well to notice here that Russia had extended her territorial claims on the Northwest Coast from latitude  $54^{\circ} 40'$  to latitude  $51^{\circ}$ , thereby covering all the islands and channels to a little north of the Island of Vancouver; and Great Britain, represented by the Hudson's Bay Company, had no trading stations between these parallels. Nor could Bering Strait offer inducements "for the promotion of the general commerce and navigation of the World," except by the discovery of a northwest passage between the Atlantic and the Pacific.

The Ukase had aroused the United States and Great Britain to protest against having their vessels driven from the fur trade of the North Pacific, and both Governments at first agreed to amicably prevail upon Russia to withdraw her pretensions to the control of the coasts and waters indicated in that document. Mr. Canning in his correspondence asserts that Russia had given orders to her officers that the terms of the Ukase should not be carried out.

The conferences between the Ministers Plenipotentiary of the United States and Great Britain soon indicated that they could not work in harmony. Mr. Canning says that "in the negotiations there was betrayed on the part of the United States a secret

partiality for the Russian side of the question, ill adapted for the purpose of joint occupation," which had been proposed; and, furthermore, the "notion of cooperation entertained by the American Government extended to the territorial as well as maritime division of the question." (Page 118.) In another place he writes: "By a Memorandum which I have received from Mr. Rush of what his Government would propose as a general settlement, it appears that latitude 55° is the point which the United States likewise have proposed for that same line of demarcation.

"This coincidence certainly argues either a foregone understanding between Russia and the United States, or a disposition on the part of the United States to countenance and promote what they know to be the desire of Russia."\*

Mr. Canning seemed to think that "the novel and extraordinary doctrine" enunciated in the "Speech of the President of the United States [James Monroe], at the opening of Congress in December 1823, [wherein] it was laid down as a principle that the United States prohibited any further attempt by European Powers at colonization in America, \* \* \* seemed intended as a set-off against the equally untenable proposition on the subject of maritime rights put forth by Russia in Her Ukase of 1821." (Page 119.) Mr. Canning declares that the opposite pretensions of the two Powers were so extravagant "as to be the subject, not so much of practical adjustment, as of reciprocal disavowal." (Page 119.)

"It was for these reasons that Mr. Canning instructed Sir Charles Bagot, our Ambassador in Russia, to treat alone with the Imperial Government." (Page 119.)

And in the following quotations we find revealed the main object for which the Convention was inaugurated. The boundary on the Continent was "a secondary consideration."

The Hudson's Bay Company had no trading posts west of the Rocky Mountains in these latitudes, but should they ever cross that range, then it would be well to have access to the Pacific by

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\* *Fur Seal Arbitration*: Volume IV, page 417. Mr. George Canning to Sir C. Bagot, January 15th, 1824.

the streams supposed to reach that ocean or the Arctic. It is not improbable that Russia might have claimed and received territorial rights to the Rocky Mountains had she made that a *sine qua non*, or even to the Mackenzie River.

"The principal object of the negotiation was to obtain a recorded disavowal from Russia of the maritime pretensions advanced in the Ukase. And then, (but this was a secondary consideration) to settle some line of demarcation between the respective territories of the two countries, the settlement of which would furnish the Russian Government with a fitting opportunity for making the disavowal in question. (Pages 119-120.)

"On the first point the Russian Ministers professed to entertain no difficulty; all therefore that it was necessary to do was to decide upon the mode of dividing the territory. For this end it was agreed, as the basis on which the negotiation should be conducted, that the claims of strict right should be provisionally waived by both Parties, and that the adjustment should be made upon the sole principle of their mutual convenience. That, of Great Britain, on the one hand, required the posts on the Continent belonging to the Hudson's Bay Company, the embouchures of such rivers as afforded an outlet for the British trade into the Pacific, and the two banks of the Mackenzie River; on the other, that of Russia induced Her to wish to secure to Herself Her Fisheries upon the islands and shores of the North-West Coast, and the posts which she might have already established on them. Notwithstanding that upon this basis there seemed little probability of any difficulties arising, the first propositions brought forward by Sir Charles were not accepted by Russia, and His Excellency was compelled to apply to His Government for a more extended discretion." (Page 120.)

The reason for the rejection is readily understood from the letters of Sir Charles which we have already quoted. He first wanted the whole Archipelago to the head of Lynn Canal and thence to the Arctic, just west of the mouth of the Mackenzie River; next, he proposed the line through Chatham Strait to the head of Lynn Canal and thence northwestwardly to the 140th meridian at about

latitude  $60^{\circ} 50'$ . Chatham Strait is the great highway running directly north for over two hundred miles through the Archipelago Alexander, and leaves two-thirds of it to the eastward. Such a boundary line would have given all the eastern continental shore to Great Britain.

Pending this negotiation, the American Minister, Mr. Henry Middleton, succeeded in bringing to a satisfactory termination with Russia, the Convention of 1824-25.

With increased discretion in his instructions, Sir Charles Bagot proposed another line of demarcation to enter the Archipelago through the western entrance of "Duke of Clarence's Strait" of Vancouver, latitude  $55^{\circ} 49'$  (the Sumner Strait of the Coast Survey charts), thence through the unnamed channel on the north of "Duke of York's Island" (Zarembo of to-day), and thence into the interior by way of the Stakheen, which was not at that time laid down on any chart. This line would have given Great Britain more than one-third of the Archipelago, and more than one-third of the Continental shore. His last proposition was to enter the Archipelago from Dixon Entrance east of Cape Chacon, ascend the "Duke of Clarence's Strait" to the northeast turn thereof, thence along the previous line proposed eastward to the Stakheen.

The last three lines are laid down upon the chart prepared in the office of the United States Coast and Geodetic Survey, and exhibited in Mr. Balch's paper of 1903; the earlier propositions are overlooked. (Our copy of the above chart affords no statement of its authority. We obtained it this year.)

We return to Mr. Stapleton's biography. In speaking of the Convention between Russia and the United States, he says (page 121): "By Article 3. Russia bound herself not to form any establishment lower than  $54^{\circ} 40'$  North, and the United States not higher than that parallel of latitude.

"The boundaries desired by Russia beyond what Sir Charles had been authorized to agree to, did not in any way materially affect the interests of this Country. He was therefore instructed to consent, with some trifling modifications, to the line of demarcation for which Russia contended. But in return for this

concession on the part of Great Britain, certain points as to the navigation of Behring's Straits, and as to privileges of trading, were to be stipulated for, which had not been contemplated in former discussions, but nevertheless were not considered to be of the nature at all unfavorable to Russian interests. Upon these points, however, the negotiations were broken off. Whether the complaints of the Russian Company against the convention with America made the Plenipotentiaries more difficult to please, or whatever else might be the cause, they remained inflexible; and Sir Charles Bagot, who was about to return to England, was allowed to quit St. Petersburg, in the beginning of September, 1824, without the conclusion of any definitive arrangement. This, however, was not a state of things with which Great Britain could remain contented. The indefinite postponement of an adjustment of the territorial limits was a matter of little moment; but the settlement of the maritime part of the question She could not submit much longer to defer." (Page 122.)

It would appear from these contentions that Sir Charles had been proposing an extreme northerly latitude and an extreme easterly meridian to offset the Russian claim to  $51^{\circ}$ . The Russian settlement was at New Archangel or Sitka in latitude  $57^{\circ} 03'$ ; and the Hudson's Bay Company had no settlement in that region as high as  $51^{\circ}$ . Mackenzie, traveling south and west, from the river of his name, had reached the waters of Burke's Canal, about latitude  $52^{\circ} 20'$ , in July, 1793, but did not see the Pacific, and retraced part of his route. (Vancouver had been in these waters June 1, 1793. Volume II, page 264.) No other Hudson's Bay Company explorer had examined the country.

Mr. Stapleton continues: "Mr. Stratford Canning was therefore sent, shortly after Sir Charles Bagot's return, on a special mission to St. Petersburg for the purpose of bringing to a speedy conclusion these long protracted discussions.

"Mr. Stratford Canning was instructed to propose such alterations as were in accordance with those views of Russia, which were reasonable. If, however, the Russian Plenipotentiaries should continue to be dissatisfied with the propositions of Great

Britain, Mr. Stratford Canning was to be at liberty to agree to an article stipulating to negotiate hereafter respecting the territorial limits; but Mr. [George] Canning considered it essential that Russia should in some way repeal 'Her unjustifiable arrogation of exclusive jurisdiction over an Ocean of unmeasured extent;' which if the Russian Government would not do, then Great Britain would resort to some mode of recording in the face of the world Her protest against the pretensions of the Ukase of 1821, and of effectually securing Her own interests against the possibility of its future operations.

"For such protest, however, there was fortunately no occasion. On the 28th of February, 1825, Mr. Stratford Canning signed with the Russian Plenipotentiaries a Convention, of which the following is the outline:

"The first two Articles were in every respect similar to the first two, already described, as being in the convention between Russia and the United States. The third, laid down the line of demarcation, which was to commence from the Southernmost point of Prince of Wales's Island in  $54^{\circ} 40'$  N. latitude, between the 131st and 133d degree of W. longitude, and to ascend to the North along Portland Channel, as far as the point of the Continent where it would strike the 56th degree of N. latitude; thence it was to follow the summit of the mountains situated parallel to the Coast, as far as the point of intersection of the 141st degree of W. longitude, and thence along that meridian line was to be prolonged to the Frozen Ocean.

"The 4th Article, explained the third, as giving the whole Prince of Wales's Island to Russia; and when the summit of the mountains should exceed ten marine leagues from the Coast, then the boundary was to be formed by a line, drawn parallel to the windings of the Coast, at the distance of ten marine leagues.

"The 5th Article bound the two contracting Parties not to form establishments within the limits respectively assigned to the possessions of the other.

"The 6th gave to Great Britain the privilege of navigating freely all the rivers and streams which in their course towards the

Pacifick, might cross the strip of land on the Coast assigned to Russia.

"The 7th mutually conceded the right of trading with the respective possessions of each other for a period of ten years.

"The 8th opened the port of Sitka to the commerce and vessels of British subjects for the same period, and provided that in case an extension of the term be granted to any other Power, the same extension should be granted to Great Britain.

"The four remaining Articles regulate some minor points which are not of sufficient importance to be detailed.

"By this Convention Great Britain secured for Herself, as far as Russia was concerned, all that was important for Her commercial interests." (Pages 121-125.)

Then follow some remarks upon the "extravagant principle already mentioned as put forth by the President, that no part of the American Continent was thenceforward to be open to colonization from Europe."

The Fur Seal Arbitration brought out further of Mr. George Canning's letters, and we introduce extracts from one written December 8th, 1824, addressed to Mr. Stratford Canning. His language is plain and emphatic.

"The whole negotiation grows out of the Ukase of 1821."

"So entirely and absolutely true is this proposition that the settlement of the limits of the respective possessions of Great Britain and Russia on the north-west coast of America was proposed by us only as a mode of facilitating the adjustment of the difference arising from the Ukase by enabling the Court of Russia, under cover of the more comprehensive arrangement, to withdraw, with less appearance of concession the offensive pretension of that Edict.

"It is comparatively indifferent to us whether we hasten or postpone all questions respecting the limits of territorial possession on the Continent of America, but the pretensions of the Russian Ukase of 1821 to exclusive dominion over the Pacific could not continue longer unrepealed without compelling us to take some measure of public and effectual remonstrance against it." \*

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\* *Fur Seal Arbitration*: Volume IV, page 446.

And in the same note Mr. George Canning continues: "It is not on our part a negotiation about limits.

"It is a demand of the repeal of an offensive and unjustifiable arrogance of exclusive jurisdiction over an area of unmeasured extent; but a demand qualified and mitigated in its manner, in order that its justice may be acknowledged and satisfied without soreness or humiliation on the part of Russia.

"We negotiate about territory to cover the remonstrance upon principle." (Pages 448-49.)

The testimony of Mr. Stapleton was fortified fifty-seven years later by that of Mr. Stanley Lane-Poole in his life of the Right Honourable Stratford Canning.\* Sandwiched between his recital of Mr. Canning's diplomatic services at St. Petersburg in the Grecian question of that day, there is a short reference to his action in the matter of the Russian-Canadian boundary. There are no details therein, but it reiterates the main object had in view by the British Government. The boundary was a mere mask to conceal the repeal of the obnoxious feature of the Ukase of 1821.

"Canning \* \* \* devoted his energies to the second part of his duty, the conclusion of a treaty relating to British and Russian territory in North-West America. The object of this instrument was a good deal more than a mere question of boundary, though the latter was made to cover and mask the larger design. A Russian Ukase of 1821 had advanced claims to exclusive maritime rights in the Pacific, and some public repudiation of this inadmissible pretence had to be made on the part of England.

"This was to be accomplished in a friendly and innocent manner by the first article of the new boundary treaty, in which our maritime and fishing rights in the Pacific were clearly maintained. The article was debated by the Russian Plenipotentiaries, Nesselrode and Poletica, but the treaty was finally agreed to, 28 February, without any material concession on the side of England." (Volume I, page 363.)

This resumé of the negotiations and the reasons therefor naturally leads to the treaties which resulted therefrom. The first is the Convention, in full, between Russia and the United States.

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\* *Life of the Right Honourable Stratford Canning, Viscount Stratford de Redcliffe, K. G., G.C.B., D.C.L., LL.D., &c*, from his memoirs and private and official papers by Stanley Lane-Poole, with three portraits. In two volumes. London: Longmans, Green, and Co., and New York, 15 East 15th Street, 1888.



CONVENTION BETWEEN THE UNITED STATES OF  
AMERICA AND HIS MAJESTY THE EMPEROR  
OF ALL THE RUSSIAS, RELATIVE TO  
NAVIGATING, FISHING, ETC.,  
IN THE PACIFIC OCEAN.\*

(Concluded April 17, 1824; ratifications exchanged January 11, 1825; proclaimed January 12, 1825.)

(Original)

*Au nom de la Très Sainte et Indivisible Trinité.*

Le Président des États Unis d'Amérique, et Sa Majesté l'Empereur de toutes les Russies, voulant cimenter les liens d'amitié qui les unissent, et assurer entre eux le maintien invariable d'un parfait accord, moyennant la présente Convention, ont nommé pour leurs Plénipotentiaires à cet effet, savoir: Le Président des États Unis d'Amérique, le Sieur HENRY MIDDLETON, citoyen des dits États, et leur Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Impériale: et Sa Majesté L'Empereur de toutes les Russies, ses amés et fœux les Sieurs CHARLES ROBERT Comte de NESSELRODE, Conseiller Privé actuel, Membre de Council d'État, Secrétaire d'État Dirigeant le Ministère des affaires étrangères, Chambellan actuel, Chevalier de l'ordre de St. Alexandre Nevsky, Grand Croix de l'ordre de St. Wladimir de la 1re classe, Chevalier de celui de l'aigle blanc de Pologne, Grand Croix de l'ordre de St. Etienne d'Hongrie, Chevalier des ordres du St. Esprit et de St. Michel et Grand

(Translation)

*In the name of the most holy and indivisible Trinity.*

The President of the United States of America, and His Majesty the Emperor of all the Russias, wishing to cement the bonds of amity which unite them and to secure between them the invariable maintenance of a perfect concord, by means of the present Convention, have named as their Plenipotentiaries to this effect, to wit: The President of the United States of America, HENRY MIDDLETON, a citizen of said States, and their Envoy Extraordinary and Minister Plenipotentiary near his Imperial Majesty: and His Majesty the Emperor of all the Russias, his beloved and faithful CHARLES ROBERT Count of NESSELRODE, actual Privy Counsellor, Member of the Council of State, Secretary of State directing the administration of Foreign Affairs, actual Chamberlain, Knight of the order St. Alexander Nevsky, Grand Cross of the order of St. Wladimir of the first class, Knight of that of the White Eagle of Poland, Grand Cross of the order of St. Stephen of Hungary, Knight of the orders of the Holy Ghost

\* Senate, 50th Congress, 2nd Session, Ex. Doc. No. 146.

Message from the President of the United States, transmitting Report on the Boundary Line between Alaska and British Columbia. March 2, 1889. Pages 28-31.

Croix de celui de la Légion d'Honneur de France, Chevalier Grand Croix des ordres de l'Aigle noir et de l'aigle rouge de Prusse, de l'annonciade de Sardaigne, de Charles III d'Espagne, de St. Ferdinand et du mérite de Naples, de l'Eléphant de Danemarc, de l'Étoile Polaire de Suède, de la Couronne de Wurtemberg, des Guelphes de Hanovre, du Lion Belge, de la Fidélité de Bade, et de St. Constantin de Parme et PIERRE de POLETICA, Conseiller d'État actuel, Chevalier de l'ordre de St. Anne de la 1<sup>re</sup> classe et Grand Croix de l'ordre de St. Vladimir de la seconde; lesquels après avoir échangé leurs pleins—pouvoirs, trouvés en bonne et due forme, ont arrêté et signé les stipulations suivantes.

#### ARTICLE PREMIER.

Il est convenu que dans aucune partie du grand océan, appelé communément Océan Pacifique ou Mer du Sud, les citoyens ou sujets respectifs des hautes puissances contractantes ne seront, ni troublés, ni gênés, soit dans la navigation, soit dans l'exploitation de la pêche, soit dans la faculté d'aborder aux côtes sur des points que ne seroient pas déjà occupés, afin d'y faire le commerce avec les indigènes, sauf toutefois les restrictions et conditions déterminées par les articles qui suivent.

#### ARTICLE DEUXIÈME.

Dans la vue d'empêcher que les droits de navigation et de pêche exercés sur le grand océan par les citoyens et sujets des hautes puissances contractantes ne deviennent le prétexte d'un commerce illicite, il est convenu, que les citoyens des États Unis n'aborderont à aucun point où il se trouve un établissement

and of St. Michael, and Grand Cross of the Legion of Honor of France, Knight Grand Cross of the orders of the Black and of the Red Eagle of Prussia, of the Annunciation of Sardinia, of Charles III. of Spain, of St. Ferdinand and of Merit of Naples, of the Elephant of Denmark, of the Polar Star of Sweden, of the Crown of Württemberg, of the Guelphs of Hanover, of the Belgic Lion, of Fidelity of Baden, and of St. Constantine of Parma, and PIERRE de POLETICA, actual Counsellor of State, Knight of the order of St. Anne of the first class, and Grand Cross of the order of St. Vladimir of the second; who, after having exchanged their full powers, found in good and due form, have agreed upon, and signed, the following stipulations.

#### ARTICLE FIRST.

It is agreed, that, in any part of the Great Ocean, commonly called the Pacific Ocean or South Sea, the respective citizens or subjects of the high contracting powers shall be neither disturbed nor restrained either in navigation, or in fishing, or in the power of resorting to the coasts upon points which may not already have been occupied, for the purpose of trading with the natives, saving always the restrictions and conditions determined by the following articles.

#### ARTICLE SECOND.

With the view of preventing the rights of navigation and of fishing, exercised upon the great ocean by the citizens and subjects of the high contracting powers, from becoming the pretext for an illicit trade, it is agreed, that the citizens of the United States shall not resort to any point where there is a Russian establishment, with-

Russe, sans la permission du Gouverneur ou Commandant; et que réciproquement les sujets Russes ne pourront aborder sans permission à aucun établissement des États-Unis sur la Côte nord ouest.

#### ARTICLE TROISIÈME.

Il est convenu en outre, que dorénavant il ne pourra être formé par les citoyens des États-Unis, ou sous l'autorité des dits États, aucun établissement sur la Côte nord ouest d'Amérique, ni dans aucune des îles adjacentes *au nord* du cinquante quatrième degré et quarante minutes de latitude septentrionale; et que de même il n'en pourra être formé aucun par des sujets Russes, ou sous l'autorité de la Russie, *au sud* de la même parallèle.

#### ARTICLE QUATRIÈME.

Il est néanmoins entendu que pendant un terme de dix années à compter de la signature de la présente Convention, les vaisseaux de deux Puissances, ou qui appartiendroient à leurs citoyens ou sujets respectifs, pourront réciproquement fréquenter sans entrave quelconque, les mers intérieures, les golfes havres et criques sur la côte mentionnée dans l'article précédent, afin d'y faire la pêche et le commerce avec les naturels du pays.

#### ARTICLE CINQUIÈME.

Sont toutefois exceptées de ce même commerce accordé par l'article précédent, toutes les liqueurs spiritueuses, les armes à feu, armes blanches, poudre et munitions de guerre de toute espèce, que les deux Puissances s'engagent réciproquement à ne pas vendre, ni laisser vendre aux Indigènes par leurs citoyens et sujets respectifs, ni par aucun individu qui se trouveroit sous leur autorité. Il est également stipulé que cette restriction

out the permission of the governor or commander; and that, reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the Northwest Coast.

#### ARTICLE THIRD.

It is moreover agreed, that hereafter there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the Northwest Coast of America, nor in any of the Islands adjacent, *to the north* of fifty-four degrees and forty minutes of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, *south* of the same parallel.

#### ARTICLE FOURTH.

It is nevertheless understood that during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects respectively, may reciprocally frequent without any hindrance whatever, the interior seas, gulfs, harbours, and creeks upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country.

#### ARTICLE FIFTH.

All spirituous liquors, fire-arms, other arms, powder and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding article, and the two powers engage, reciprocally, neither to sell, nor suffer them to be sold to the natives by their respective citizens and subjects, nor by any person who may be under their authority. It is likewise stipulated that this restriction shall never afford a pretext,

ne pourra jamais servir de prétexte, ni être alléguée dans aucun cas, pour autoriser soit la visite ou la détention des Vaisseaux, soit la saisie de la marchandise, soit enfin des mesures quelconques de contrainte envers les armateurs ou les équipages qui feroient ce commerce; les hautes Puissances contractantes s'étant réciprocement réservé de statuer sur les peines à encourir, et d'infiler les amendes encourues en cas de contravention à cet article, par leurs citoyens ou sujets respectifs.

## ARTICLE SIXIÈME.

Lorsque cette Convention aura été dûment ratifiée par le Président des États Unis de l'avis et du consentement du Sénat, d'une part, et de l'autre par Sa Majesté L'Empereur de toutes les Russies, les ratifications en seront échangées à Washington dans le délai de dix mois de la date ci-dessous ou plutôt si faire se peut. En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont fait apposer les cachets de leurs armes.

Fait à St. Pétersbourg, le 17 (5) Avril de l'an de grâce mil huit cent vingt quatre.

HENRY MIDDLETON. [L. S.]  
Le Comte  
CHARLES DE NESSELRODL. [L. S.]  
PIERRE DE POLETICA. [L. S.]

nor be advanced, in any case, to authorize either search or detention of the vessels, seizure of the merchandise, or, in fine, any measures of constraint whatever towards the merchants or the crews who may carry on this commerce; the high contracting Powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishments, in case of the contravention of this article, by their respective citizens or subjects.

## ARTICLE SIXTH.

When this Convention shall have been duly ratified by the President of the United States, with the advice and consent of the Senate on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington in the space of ten months from the date below, or sooner if possible. In faith whereof the respective Plenipotentiaries have signed this Convention, and thereto affixed the seals of their arms.

Done at St. Petersburg, the 17 (5) April of the year of Grace one thousand eight hundred and twenty-four.

HENRY MIDDLETON.  
Le Comte  
CHARLES DE NESSELRODE.  
PIERRE DE POLETICA.

## CONVENTION BETWEEN GREAT BRITAIN AND RUSSIA.\*

(Signed at St. Petersburgh, February <sup>28</sup><sub>16</sub>, 1825; presented to Parliament, May 16, 1825.)

(Translation)

*In the Name of the Most Holy and Undivided Trinity.*

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty The Emperor of all the Russias, being desirous of drawing still closer the Ties of good Understanding and Friendship which unite them, by means of an Agreement which may settle, upon a basis of reciprocal convenience, different points connected with the Commerce, Navigation, and Fisheries of their Subjects on the Pacific Ocean, as well as the limits of their respective Possessions on the North West Coast of America, have named Plenipotentiaries to conclude a Convention for this purpose, that is to say:—His Majesty the King of the United Kingdom of Great Britain and Ireland, The Right Honourable Stratford Canning, a Member of His said Majesty's Most Honourable Privy Council, &c., and His Majesty The Emperor of all the Russias, The Sieur Charles Robert Count de Nesselrode, His Imperial Majesty's Privy Councillor, a Member of the Council of the Empire, Secretary of State for the Department of Foreign Affairs, &c., and the Sieur Pierre de Poletica, His Imperial Majesty's Councillor of State, &c.,

*Au Nom de la Très Sainte et Indivisible Trinité.*

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et Sa Majesté l'Empereur de toutes les Russies, désirant resserrer les liens de bonne intelligence et d'amitié qui les unissent, au moyen d'un accord qui régleroit, d'après le principe des convenances réciproques, divers points relatifs au Commerce, à la Navigation, et aux Pêcheries de leurs Sujets sur l'Océan Pacifique, ainsi que les limites de leurs Possessions respectives sur la Côte Nord Ouest de l'Amérique, ont nommé des Plénipotentiaires pour conclure une Convention à cet effet, savoir:—Sa Majesté le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, le Très Honourable Stratford Canning, Conseiller de Sa Majesté en Son Conseil Privé, &c. Et Sa Majesté l'Empereur de toutes les Russies, le Sieur Charles Robert Comte de Nesselrode, Son Conseiller Privé actuel, Membre du Conseil de l'Empire, Secrétaire d'État dirigeant le Ministère des Affaires Étrangères, &c.; et le Sieur Pierre de Poletica, Son Conseiller d'État actuel, &c. Lesquels Plénipotentiaires, après s'être communiqué leurs Pleins-pouvoirs respectifs, trouvés en bonne et due

\* Senate, 50th Congress, 2d Session, Ex. Doc. No. 146.

Message from the President of the United States, transmitting Report on the Boundary Line between Alaska and British Columbia. March 2, 1889. Pages 31-36.

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and signed the following Articles:

I. It is agreed that the respective Subjects of the High Contracting Parties shall not be troubled or molested, in any part of the Ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at such Parts of the Coast as shall not have been already occupied, in order to trade with the Natives, under the restrictions and conditions specified in the following Articles.

II. In order to prevent the Right of navigating and fishing, exercised upon the Ocean by the Subjects of The High Contracting Parties, from becoming the Pretext for an illicit Commerce, it is agreed that the Subjects of His Britannic Majesty shall not land at any Place where there may be a Russian Establishment, without the permission of the Governor or Commandant; and, on the other hand, that Russian Subjects shall not land, without permission, at any British Establishment on the North-West Coast.

III. The line of demarcation between the Possessions of the High Contracting Parties, upon the Coast of the Continent, and the Islands of America to the North-West, shall be drawn in the following manner:—

Commencing from the Southernmost Point of the Island called *Prince of Wales Island*, which Point lies in the parallel of 54 degrees 40 minutes, North Latitude, and between the 131st and 133d Degree of West Longitude (Meridian of Greenwich), the said line shall ascend to

forme, ont arrêté et signé les Articles suivant:—

I. Il est convenu que dans aucune partie du Grand Océan, appelé communément Océan Pacifique, les sujets respectifs des Hautes Puissances Contractantes ne seront ni troublés, ni gênés, soit dans la navigation, soit dans l'exploitation de la pêche, soit dans la faculté d'aborder aux côtes, sur des Points qui ne seroient pas déjà occupés, afin d'y faire le commerce avec les Indigènes, sauf toutefois les restrictions et conditions déterminées par les Articles qui suivent.

II. Dans le vue d'empêcher que les droits de navigation et de pêche exercés sur le Grand Océan par les Sujets des Hautes Parties Contractantes, ne deviennent le prétexte d'un commerce illicite, il est convenu que les Sujets de Sa Majesté Britannique n'aborderont à aucun Point où il se trouve un Établissement Russe, sans la permission du Gouverneur ou Commandant, et que, réciproquement, les Sujets Russes ne pourront aborder, sans permission, à aucun Établissement Britannique, sur la Côte Nord Ouest.

III. La ligne de démarcation entre les Possessions des Hautes Parties Contractantes sur la Côte du Continent et les îles de l'Amérique Nord Ouest, sera tracée ainsi qu'il suit:—

À partir du Point le plus méridional de l'île dite *Prince of Wales*, lequel Point se trouve sous la parallèle du 54me degré 40 minutes de latitude Nord, et entre le 131me et le 133me degré de longitude Ouest (Méridien de Greenwich), la dite ligne remontera au Nord le long de la

the North along the Channel called *Portland Channel*, as far as the Point of the Continent where it strikes the 56th Degree of North Latitude; from this last mentioned Point the line of demarcation shall follow the summit of the mountains situated parallel to the Coast, as far as the point of intersection of the 141st Degree of West Longitude (of the same Meridian); and, finally, from the said point of intersection, the said Meridian Line of the 141st Degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British Possessions on the Continent of America to the North West.

IV. With reference to the line of demarcation laid down in the preceding Article it is understood;

1st. That the island called *Prince of Wales Island* shall belong wholly to Russia.

2d. That wherever the summit of the mountains which extend in a direction parallel to the Coast, from the 56th degree of north Latitude to the point of intersection of the 141st degree of West Longitude, shall prove to be at the distance of more than ten marine leagues from the Ocean, the limit between the British Possessions and the line of Coast which is to belong to Russia, as above-mentioned, shall be formed by a line parallel to the windings of the Coast, and which shall never exceed the distance of ten marine leagues therefrom.

V. It is moreover agreed, that no Establishment shall be formed by either of the Two Parties within the limits assigned by the two preceding Articles to the Possessions of the Other: consequently, British Subjects shall not form any Establishment either upon the Coast, or upon the border of the Continent comprised

passe dite *Portland Channel*, jusqu'au Point de la terre ferme où elle atteint le 56me degré de latitude Nord: de ce point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la Côte, jusqu'au point d'intersection du 141me degré de longitude Ouest (même Méridien); et, finalement, du dit point d'intersection, la même ligne méridienne du 141me degré formera, dans son prolongement jusqu'à la mer Glaciale, la limite entre les Possessions Russes et Britanniques sur le Continent de l'Amérique Nord Ouest.

IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent:

1°. Que l'île dite *Prince of Wales* appartiendra toute entière à La Russie :

2°. Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la Côte depuis le 56me degré de latitude Nord au point d'intersection du 141me degré de longitude Ouest, se trouveroit à la distance de plus de dix lieues marines de l'Océan, la limite entre les Possessions Britanniques et la lisière de Côte mentionnée ci-dessus comme devant appartenir à La Russie, sera formée par une ligne parallèle aux sinuosités de la Côte, et qui ne pourra jamais en être éloignée que de dix lieues marines.

V. Il est convenu en outre, que nul Établissement ne sera formé par l'une des deux Parties dans les limites que les deux Articles précédens assignent aux Possessions de l'Autre. En conséquence, les Sujets Britanniques ne formeront aucun Établissement soit sur la côte, soit sur la lisière de terre ferme comprise dans

within the limits of the Russian Possessions, as designated in the two preceding Articles; and, in like manner, no Establishment shall be formed by the Russian Subjects beyond the said limits.

VI. It is understood that the Subjects of his Britannic Majesty, from whatever Quarter they may arrive, whether from the Ocean, or from the interior of the Continent, shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article 3 of the present Convention.

VII. It is also understood, that, for the space of ten Years from the signature of the present Convention, the Vessels of the Two Powers, or those belonging to their respective Subjects, shall mutually be at liberty to frequent, without any hindrance whatever, all the inland Seas, the Gulfs, Havens, and Creeks on the Coast mentioned in Article 3 for the purpose of fishing and of trading with the Natives.

VIII. The port of Sitka, or Novo Archangelsk, shall be open to the Commerce and Vessels of British Subjects for the space of ten Years from the date of the exchange of the Ratifications of the present Convention. In the event of an extension of this term of ten years being granted to any other Power, the like extension shall be granted also to Great Britain.

IX. The above mentioned liberty of Commerce shall not apply to the trade in spirituous liquors, in firearms, or other arms, gunpowder or other warlike stores; the High Con-

les limites des Possessions Russes, telles qu'elles sont désignées dans les deux Articles précédens; et, de même, nul Établissement ne sera formé par des Sujets Russes au delà des dites limites.

VI. Il est entendu que les Sujets de Sa Majesté Britannique, de quelque Côte qu'ils arrivent, soit de l'Océan, soit de l'intérieur du Continent, jouiront à perpétuité du droit de naviguer librement, et sans entrave quelconque, sur tous les fleuves et rivières, qui, dans leurs cours vers la mer Pacifique, traverseront la ligne de démarcation sur la lisière de la Côte indiquée dans l'Article 3 de la présente Convention.

VII. Il est aussi entendu que, pendant l'espace de dix Ans, à dater de la signature de cette Convention, les Vaisseaux des deux Puissances, ou ceux appartenans à leurs Sujets respectifs, pourront réciprocement fréquenter, sans entrave quelconque, toutes les Mers intérieures, les Golfs, Havres, et Criques sur la Côte mentionnée dans l'Article 3 afin d'y faire le pêche et le commerce avec les Indigènes.

VIII. Le Port de Sitka, ou Novo Archangelsk, sera ouvert au Commerce et aux Vaisseaux des Sujets Britanniques durant l'espace de dix ans, à dater de l'échange des Ratifications de cette Convention. Au cas qu'une prolongation de ce terme de dix ans soit accordée à quelque autre Puissance, la même prolongation sera également accordée à La Grande Bretagne.

IX. La susdite liberté de commerce ne s'appliquera point au trafic des liqueurs spiritueuses, des armes à feu, des armes blanches, de la poudre à canon, ou d'autres munitions

tracting Parties reciprocally engaging not to permit the above mentioned articles to be sold or delivered, in any manner whatever, to the Natives of the Country.

X. Every British or Russian Vessel navigating the Pacific Ocean, which may be compelled by storms or by accident, to take shelter in the Ports of the respective parties, shall be at liberty to refit therein, to provide itself with all necessary stores, and to put to sea again, without paying any other than Port and Light-house dues, which shall be the same as those paid by National Vessels. In case, however, the Master of such Vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall conform himself to the Regulations and Tariffs of the Place where he may have landed.

XI. In every case of complaint on account of an infraction of the Articles of the present Convention, the Civil and Military Authorities of the High Contracting Parties, without previously acting or taking any forcible measure, shall make an exact and circumstantial Report of the matter to their respective Courts, who engage to settle the same in a friendly manner, and according to the principles of justice.

XII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within the space of six weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

de guerre; les Hautes Parties Contractantes s'engageant réciproquement à ne laisser ni vendre, ni livrer, de quelque manière que ce puisse être, aux Indigènes du pays, les articles ci-dessus mentionnés.

X. Tout Vaisseau Britannique ou Russe naviguant sur l'Océan Pacifique, qui sera forcé par des tempêtes, ou par quelque accident, de se réfugier dans les Ports des Parties respectives, aura la liberté de s'y radouber, de s'y pourvoir de tous les objets qui lui seront nécessaires, et de se remettre en mer, sans payer d'autres Droits que ceux de Port et de Fanaux, lesquels seront pour lui les mêmes que pour les Bâtimens Nationaux. Si, cependant, le Patron d'un tel navire se trouvoit dans la nécessité, de se défaire d'une partie de ses marchandises pour subvenir à ses dépenses, il sera tenu de se conformer aux Ordonnances et aux Tarifs de l'Endroit où il aura abordé.

XI. Dans tous les cas de plaintes relatives à l'infraction des Articles de la présente Convention, les Autorités Civiles et Militaires des deux Hautes Parties Contractantes, sans se permettre au préalable ni voie de fait, ni mesure de force, seront tenues de faire un rapport exact de l'affaire et de ses circonstances à leurs Cours respectives, lesquelles s'engagent à la régler à l'amiable, et d'après les principes d'une parfaite justice.

XII. La présente Convention sera ratifiée, et les Ratifications en seront échangées à Londres, dans l'espace de six semaines, ou plutôt si faire se peut.

En Foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé le Cachet de leurs Armes.

Done at St. Petersburgh, the Twenty eighth (Sixteenth) Day of February, in the year of our Lord One Thousand Eight Hundred and Twenty-five.

[L. S.] STRATFORD CANNING.

[L. S.] The Count de NESSELRODE.

[L. S.] PIERRE DE POLETICA.

Fait à St. Pétersbourg, le Vingt huit (Seize) Février, de l'an de Grâce mil huit cent vingt-cinq.

[L. S.] STRATFORD CANNING.

[L. S.] Le Comte de NESSELRODE.

[L. S.] PIERRE DE POLETICA.

## CRITICISM UPON THE TRANSLATION OF CERTAIN IMPORTANT WORDS IN THE CONVEN- TION BETWEEN RUSSIA AND GREAT BRITAIN.

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We have elsewhere remarked upon the weak and unequivalent English translation of certain of the more important words of the French text, such as lisière, sinuosités, crête, limite, ligne and crique; and herewith exhibit extracts of the texts in parallel columns for ready comparison.

### LA CRÊTE.

This is an important word in the Treaty and is used once in each of the Articles III and IV.

#### *French Text.*

Article III. "de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la Côte \* \* \* "

Article IV. "2<sup>e</sup>. Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la Côte \* \* \* "

#### *English Translation.*

Article III. "from this last mentioned Point the line of demarcation shall follow the summit of the mountains situated parallel to the Coast \* \* \* "

Article IV. "2d. That wherever the summit of the mountains which extend in a direction parallel to the Coast \* \* \* "

"La Crête" in its simplest application is the cock's comb, and indicates the crest and not a single point thereof. When it is applied to mountains it refers to the ridge and not to isolated peaks thereof.

It is essentially the crest-line of a mountain chain, from which the waters flow in opposite directions; it is the water-parting of engineers and geographers. In mountain chains there are numerous high and prominent peaks that are not on the crest-line, but rise from either flank, and they may be higher than adjacent summits in the crest-line. There are examples in California and Oregon, and Mt. Rainier in Washington.

The late boundary troubles between Chile and Argentina arose

upon the question of the crest-line or water-parting of the Andes.

When Mr. George Canning enclosed his "draft convention" to Sir Charles Bagot, in his letter of July 21, 1824,\* (page 433) and it was submitted to the Russian Ambassador, Count Lieven, (page 438), the latter took exception to the proposition in Article II, that the boundary should follow the Coast parallel to the sinuosités (text) at the base of the mountains towards the sea. He says, that as a rule when a chain of mountains was to serve as a boundary line "c'est toujours la *cime* de ces montagnes qui forme la ligne de démarcation." "La cime" is simply the top of a high body, and may be applied to a tree, a rock or a mountain, and the word appears to have been then and there abandoned for the more appropriate word crête.

Later on Mr. George Canning wrote to Mr. Stratford Canning, December 8th, 1824 (page 448), "where the mountains are the boundary, we are content to take the *summit* instead of the 'seaward base' as the line of demarcation." He does not use the plural summits, or individual peaks; his words imply a line of summits in the water-parting crest.

We submit that the translation of "crête" by the English word "summit" does not carry the idea of a crest-line or water-parting with prompt clearness; it is not a decisive equivalent.

#### SINUOSITÉS.

This is a word of vital importance in the Treaty. It is used but once, as follows:

##### *French Text.*

Article IV. "2°. \* \* \* la limite entre les Possessions Britanniques et la lisière de Côte mentionnée ci-dessus comme devant appartenir à La Russie, sera formée par une ligne parallèle aux sinuosités de la Côte \* \* \*"

##### *English Translation.*

Article IV. "2d. \* \* \* the limit between the British Possessions and the line of the Coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the Coast \* \* \*"

The translation of "sinuosités" in the English text is not in conformity with the actual meaning. The word "windings" is vague

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\* *Fur Seal Arbitration*, 1893. Volume IV.

and does not express the idea intended to be conveyed. It is not in use by nautical men and geographers to describe or designate such marked and important breaks in the general trend or direction of a coast as we find on the western coast of Vancouver Island, or in the great inlets penetrating the continental shore of British Columbia north of Fraser River, or Portland Inlet and others in Alaska. The proper English equivalent is sinuosities. Both the French and English words are derived from the Latin *sinus*.

An examination of maps that exhibit the old world of the Roman Empire,\* reveals the application of the word *sinus* in its larger, and its more restricted sense. In the larger applications, some of the gulfs of the modern maps are there called "Sinus;" and on the broken coast line of Greece the sharp indentations are also named "Sinus." There are double applications of the name; for example, the Red Sea is denominated the *Sinus Arabicus*; and at its head the Gulf of Suez (*Bahr Assuez*) is named the *Heroopolites Sinus*, and the Gulf of Akabah (*Bahr el Acaba*) is the *Ælanites Sinus*; the Gulf of Corinth is the *Sinus Corinthiacus*. Among the smaller indentations are the *Sinus Singiticus*, and close to it the *Toronaicus Sinus* in the Northwestern part of the *Ægæum Mare*; each a relatively narrow and long indentation of the continental shore.

Comparing the application of the word by the Romans to such bodies of waters as gulfs, bays and inlets, nearly every indentation of the western coast of Vancouver Island would be a *sinus*; such as Clayoquot Sound, Nootka and Quatsino Sounds; and on the mainland eastward of Vancouver Island, Jervis Inlet, Bute, Knight and Seymour Inlets. These we consider remarkable examples of the Roman *Sinus*. And farther to the northward, Holkham Bay and its arms, Taku and Taiyá Inlets, and Lynn Canal in the Archipelago Alexander, are equally good examples.

In fact the English language still holds to the word "sinus," with

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\* *A Complete Body of Ancient Geography*, by Mons. D'Anville, Member of the Royal Academy of Belles Lettres, of the Academy of Sciences at Petersburg.  
\* \* \* London: Printed and Sold by R. Sayer and J. Bennett, Map, Chart and Print Sellers. No. 53 Fleet Street. M.DCC.LXXXV. (22 in. by 15½ in. 26 sheets.)

its Latin definitions: "a bay of the sea; a recess in the coast; an opening into the land;"\* and this English dictionary gives a quotation from T. Burnett, "some arms of the Sea or Sinuses." For the word "sinuosity," it quotes from S. Smith, "a line of Coast, certainly amounting with its *sinuosities*, to more than 700 miles."

The English geographers still use the word sinuosity for such inlets, arms or fiords, as is shown in the following quotation from the English translation of Reclus' description of New Zealand where he says, after Captain James Cook had made a general survey of the Islands, "nothing remained to be done beyond following the sinuosities of the coast line and exploring the interior of the Islands." Volume "Australia." (Page 421.)†

It should be remembered that Vancouver had been with Cook on two of his voyages of exploration, and rigidly carried out the investigations of all the sinuosities of the Continental shore of Alaska. In the recent surveys by the United States Coast and Geodetic Survey and the Canadian official parties, this plan was developed more closely by the modern means and methods of delineation.

The French word "sinuosité," and the English word "sinuosity" convey no difference of meaning, and especially in the matter of nautical geography. It is very doubtful whether the word "windings" would, in the present case, be translated by the word "sinuosités."

The term "windings" is so vague that we can readily understand that the Russians intentionally used the word *sinuosités*; it aptly described all those remarkable arms of the sea that penetrated the continental shore with deep water and navigable capacity; and it

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\* *The Imperial Dictionary of the English Language*, \* \* \* by John Ogilvie, LL.D. New Edition edited by Charles Annadale, M. A. London: Blackie & Son, 49 and 50 Old Bailey, E. C.; Glasgow, Edinburgh and Dublin. 1883. The Century Co., New York. (Four large Volumes of about 700 pages each.)

† *The Earth and Its Inhabitants*. The Universal Geography, by Elisée Reclus, edited by A. H. Keane, B.A., Vice-President, Anthrop. Institute; Cor. Member Italian and Washington Anthropol. Society; Professor of Hindustani, University Col., London; Author of "Asia," etc. Australia. \* \* \* Illustrated by numerous Engravings and Maps. London: J. S. Virtue & Co., Limited, 294 City Road. [19 Volumes, about 500 pages each. No date, but statistics are given to include 1888.]

precluded the English passing through any one of these great arms or fiords as a channel way to the interior if such arm should be found to extend ten marine leagues or more into the continent.

### LISIÈRE.

This is another very important word in the Treaty, and is used in Articles IV, V and VI, as follows:

#### *French Text.*

Article IV. "la limite entre les Possessions Britanniques et la lisière de Côte mentionnée \* \* \* sera formée \* \* \*"

Article V. "soit sur la lisière de terre ferme comprise dans les limites des Possessions Russes \* \* \*"

In speaking of the streams crossing the strip of ten marine leagues wide, the treaty says:

Article VI. "traverseront la ligne de démarcation sur la lisière de la Côte indiquée \* \* \*"

We submit that making "lisière" represent a "line" of the coast in Articles IV and VI is erroneous, and the more especially in Article VI where "ligne" is properly translated as a "line," and in the same sentence in immediate conjunction the word "lisière" is translated a "line."

The "ligne" of Article III may clearly ascend from the head of Portland Channel, but a "lisière" could not.

The translations are not uniformly made and are not satisfactory or definite. There are good English words that are especially applicable to the intentions of the Treaty as expressed in French. The French word and its English equivalent are derived from the Teutonic words list and liste; and the French lisière, English list, and German leiste, carry the same meaning; namely, a strip,

#### *English Translation.*

Article IV. "the limit between the British Possessions and the line of the Coast which is to belong to Russia, as before mentioned, shall be formed \* \* \*"

Article V. "or upon the border of the Continent comprised within the limits of the Russian Possessions \* \* \*"

Article VI. "may cross the line of demarcation upon the line of coast described \* \* \*"

border or selvedge. Of cotton goods it is the selvedge, of broad-cloths (woollen) it is the list or listing, and this was in general domestic use for garters in England.\*

Throughout the correspondence between Mr. George Canning, Sir Charles Bagot and Mr. Stratford Canning with the Russian Plenipotentiaries, the latter continually insisted upon the "lisière." The "Counter-Draft" by the Russian Plenipotentiary, March 13th, 1824, declares that the principal motive which forces Russia to insist upon "la soveraineté de la lisière indiquée plus haut sur la terre ferme depuis le Portland Canal jusqu'au point d'intersection du 60° avec le 139° de longitude, c'est que, privée de ce territoire, le Compagnie Russe-Américaine n'auroit aucun moyen de soutenir les Établissements qui seroient dès lors sans point d'appui, et qui ne pourroient avoir aucune solidité." An important declaration. (Page 427.) And in Mr. George Canning's "Draft Convention" July 2, 1824, he uses the term "lisière de côte," but the translation is "line of coast," which is altogether another condition.

One of the latest uses of the word "lisière" is by Hon. David Glass, Q. C., etc., in his paper on the Alaska boundary, when he speaks of that section of the boundary line lying between 56° latitude and the 141st meridian "covering what is known as the lisière, or strip of mainland located along the coast of the continent between the last named two points."†

#### LIMITE.

This is another important word of the Treaty and is used in Articles III, IV and V. It is used to designate the boundary line from the initial point at the southernmost extremity of the Prince of Wales Island to the Arctic Ocean.

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\* "Gartered with a red and white list." Shakespeare, as quoted in the Imperial Dictionary.

† *Anglo-American Magazine*, December, 1899, page 551.

*French Text.*

Article III. "et, finalement, \* \* \* formera, dans son prolongement jusqu'a la mer Glaciale, la limite entre les Possessions Russes et Britanniques sur le Continent \* \* \*"

Article IV. "à la distance de plus de dix lieues marines de l'Océan, la limite entre les Possessions Britanniques et la lisière de Côte \* \* \*"

Article V. "soit sur la lisière de terre ferme comprise dans les limites des Possessions Russes \* \* \*"

*English Translation.*

Article III. "and, finally, \* \* \* in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British Possessions on the Continent \* \* \*"

Article IV. "at the distance of more than ten marine leagues from the Ocean, the limit between the British Possessions and the line of Coast \* \* \*"

Article V. "or upon the border of the Continent comprised within the limits of the Russian Possessions \* \* \*"

The word "limite" is clearly and sharply defined by the word boundary; and although the words limite and limit are derived directly from the same Latin word, yet, by usage, the English word limit does not promptly indicate or suggest the special application as a boundary line, and especially on an extended scale. Certainly the word limit would not be translated into the French limite as a boundary line.

In Articles III and IV, the word limit does not definitely suggest a boundary line; in Article V, the word used for "lisière" is border, and that at once suggests breadth as well as length, but immediately in connection therewith, the word limites is translated limits, where boundaries should have been used. The French word limite and the English word limit are not equivalent.

## CRIQUE. INTÉRIEURES.

We suggest that a few words of explanation may be given to these terms. They occur in Article VII.

*French Text.*

Article VII. "toutes les Mers intérieures, les Golfs, Havres, et Criques sur la Côte mentionnée dans l'Article 3 \* \* \*"

*English Translation.*

Article VII. "all the inland Seas, the Gulfs, Havens, and Creeks on the Coast mentioned in Article 3 \* \* \*"

The translation is not quite so explicit as it should be. The word "intérieures" should have been translated by its equivalent, "interior." The word "creek" is not used in the United States in the same sense as in France and England. In this country it refers to a small stream tributary to a larger one, or it may open directly upon a lake or ocean. It is not navigable save to a canoe or light draught boat. In Article VII the creeks there mentioned are navigable to the vessels then trading on the Coast, or to the naval vessels of Russia and the United States.

#### ARMES BLANCHES.

Among the minor inaccuracies of the translation of the French text is that of "des armes blanches" into "other arms" instead of the military meaning, "side arms."

#### INDIVISIBLE.

The weakness of the translation is shown in the invocation: "Au Nom de la Très Sainte et Indivisible Trinité," is rendered, "In the Name of the Most Holy and Undivided Trinity." The French word "indivisible" and the English word "undivided" are not equivalent.

THE LISIÈRE OR THIRTY MILES BORDER ALONG  
THE CONTINENTAL SHORE. BRITISH  
AND OTHER AUTHORITIES.

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In the correspondence between the Russian and British Plenipotentiaries after the surrender of the Archipelago Alexander to Russia, the principal point at issue was the determination of the breadth of the lisière or coast-strip which Russia had claimed, but not its distance into the mainland. This breadth soon reached moderate limits; England persisted in reducing it to a "still more narrow limitation" than ten marine leagues (page 433); Russia persisted in that ten leagues breadth with the evident intention of controlling all deep water inlets stretching inland; as we have shown from the "Counter-Draft" by the Russian Plenipotentiary, March 13, 1824. Mr. George Canning wrote to Mr. Stratford Canning, December 8th, 1824,\* that "we proposed to qualify the general proposition 'that the mountains should be the boundary, with the condition if those mountains should not be found to extend beyond 10 leagues from the coast;" \* \* \* and he then proposed "where the mountains are the boundary, we are content to take the *summit* instead of the 'seaward base' as the line of demarcation." (Pages 447, 448.)

Very naturally there followed compromises, and the Articles of the Convention present the final agreement. In that convention the lisière is doubly assured.

The treaty of 1825 adds to the force of the Articles III and IV certain conditions of privileges and restrictions to the subjects of Great Britain, as specified in subsequent Articles. They are almost identical with those granted and exacted from the United States by the Convention of 1825. The first restriction is that "British subjects shall not form any Establishment either on the Coast or upon the lisière;" the second is that the liberty of Commerce shall not apply to the trade in spirituous liquors, fire-arms, side arms, gunpowder or other warlike stores.

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\* *Fur Seal Arbitration*, 1893. Volume IV, page 447.

The privileges were that British subjects arriving from the sea or from the interior should enjoy forever the right of navigating freely all the rivers and streams which may cross the line of demarcation upon or over the lisière. It is this privilege which protects all the deep inlets, arms or sinuosities stretching into the mainland to the use of Russia.

For the space of ten years the vessels of both powers could freely navigate all the Inland Seas, Gulfs, Havens and Straits on the coast; and for the same period the port of Sitka was to be open to the commerce and vessels of British subjects.

The conditions thenceforth existing between the two great fur Companies were duly respected, as well as the privileges secured by the United States. At a later date the Companies made compacts with each other without appealing to their respective governments, as is shown in the statements of Sir George Simpson in 1847 and 1857.

Sir George Simpson, Governor-in-Chief of the Hudson's Bay Company Territories in North America, in his journey around the world, in describing "Fort Stikine," now Wrangell, writes, September, 1841, Volume I, page 209: \*

"This establishment, originally founded by the Russian American Company, has been recently transferred to us on a lease of ten years, together with the right of hunting and trading in the continental territories of the association in question, as far up as Cross Sound. Russia, as the reader is, of course, aware possesses on the mainland, between  $54^{\circ} 40'$ , and latitude  $60^{\circ}$ , only a strip, never exceeding thirty miles in depth; and this strip in the absence of such an arrangement as has just been mentioned renders the interior comparatively useless to England."

At page 210 he describes the fort, etc., as four and ten miles respectively from the North and South mouths of the "Stikine or Pelly's River."

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\* *Narrative of a Journey round the World during the years 1841 and 1842*, by Sir George Simpson, Governor-in-Chief of the Hudson's Bay Company's Territories in North America. In two Volumes. London : Henry Colburn, Publisher. Great Marlborough Street, 1847.

In the testimony of Sir George before the Parliamentary Committee of 1857, he stated that the Hudson's Bay Company had, in 1839, leased from the Russian American Company, the margin of the coast from latitude  $54^{\circ} 40'$  to Cross Sound or Icy Strait, and he also exhibited the map of 1857, which we have elsewhere noted, to show the length and breadth of the lisière as the coast-strip leased by his Company.

Of Sir George Simpson, Mr. Alexander Begg says (page 113), "He was the first Hudson Bay Governor who fulfilled, on behalf of the Company, that duty imposed, as a condition, by the charter—the task of exploration and geographical discovery."

The Governor's testimony is unimpeachable.

In his Hydrographic Notes of the North Pacific, Bering Sea and the Arctic, Captain Tebenkof, who had been in the Alaskan Colonies from 1825 to 1833, and in 1845 was appointed Governor of the Colonies, describes very briefly the region of the Archipelago from Icy Strait or Cross Sound to Portland Inlet, and writes on page 37 as follows: "To the latitude of  $54^{\circ} 40'$  all the islands from the north [Cape Spencer] with the ten leagues border in from the continental shore belong to Russia. Farther to the south, the islands to the strait of Juan de Fuca and the mainland coast to the parallel of  $49^{\circ}$  belong to England."

In his History of British Columbia, 1894, Mr. Alexander Begg has a short article entitled "The Alaska Boundary Impracticable." He quotes from Articles III and IV of the Convention of 1825, and remarks (page 126), "the interpolation of the three words, 'called Portland Channel,' has rendered the wording of the treaty obscure and the boundary impracticable, as described south of the 56th degree of latitude. \* \* \* Why the words 'called Portland Channel' should have been introduced has not been understood, neither can they be reconciled with Vancouver's survey (1793-4), on which the treaty was based, nor with the description of the southern boundary 'from the southernmost point of Prince of Wales Island, from south to north.'" [This last quotation is not exact.] \* \* \* "A Russian atlas published in 1849 places the boundary in

Portland Canal, which it reaches by going east to Observatory Inlet and then north." There the article ends.

One of the most extraordinary claims in relation to the ten leagues border is made in the Year Book of British Columbia for 1897 by R. E. Gosnell, Librarian of the Legislative Library. This Canadian claim is "that by the word 'ocean' in the Treaty [of 1825] the high sea outside of the Archipelago is meant, and that the boundary must be drawn ten marine leagues from the outer rim of the Archipelago, except where the summit is nearer the coast than ten marine leagues, in which case the line will follow such summit. This would give Canada all the inlets and even a portion of some of the islands," etc. (Page 99.) This proposition is quoted with commendation from the Victoria *Daily Colonist*, but it originated with Dr. Dawson, as shown elsewhere.

The boundary line and the lisière received fresh complications from the hands of Hon. David Glass, Q.C., in his paper of December, 1899. He says: "This line is to cross all inlets, channels, canals, creeks or rivers, extending into the mainland, and to absolutely follow the coast of the continent. This is the only British contention, so far as I know and so far as defined in the Canadian Parliament." (Page 551.)

A Canadian jurist and Member of Parliament has expressed some extreme views in an article in the "British Columbia *Mining Record*, Christmas 1899, Victoria, B. C." These views lack the calm, deliberate character which we would expect from one of his standing, Sir Charles Hibbert Tupper, K.C.M.G., Q.C., M.P., and we quote but a few sentences.

Speaking of the border he says: "Much discussion has revolved around the words \* \* \* 'La crête des montagnes situées parallèlement à la côte' in Article III.

"The main water-shed to which the United States would apply these words, 'the summit of the mountains situated parallel to the coast,' is beyond the 'distance of ten marine leagues' referred to in Article IV." (Page 3.)

"Great Britain contends that these words refer to the mountains nearest the ocean." Great Britain denies that Portland Inlet is

part of Portland Channel, and "insists that the passage along the coast through Pearse Channel to the ocean is part of Portland Canal." (Page 3.) For Great Britain it would have been proper to have said Canada.

He then refers to the boundary along the 141st meridian, and continues: "It is along this boundary that the discoveries of extensive and valuable placer gold mines have been found; and it is to this field that the United States are permitted to hold the present ports of ingress and egress, Dyea and Skagway, both in British territory." (Page 3.)

Later on he declares: "I am satisfied that we can find no parallel in any country in the world for such a course as the United States have taken, namely, that in the delimitation of the boundary under the treaty no regard shall be had to what that treaty means."

He then advises "the British Commission to absolutely repudiate recognizing any such position, or any such terms." (Page 4.)

#### RESUMÉ.

From the foregoing quotations which we have given from English and Canadian authorities, we make this resumé.

The British and Russian Plenipotentiaries formulated the terms relating to the thirty miles coast-strip or border so far as it was practicable to express them with the charts and narrative of Vancouver before them. The Articles of the Convention relating thereto were satisfactory to both the great fur trading Companies, and were acceptable to the Governments. The English traders had no doubt of their meaning, and even in the ill-advised attempt by the *Dryad* in 1834, the Hudson's Bay Company withdrew and settled with the Russian American Company by a renewal of the lease. The British Government took no active interest in the incident.

Sir George Simpson, Governor-in-Chief of the Hudson's Bay Company Territories in North America, unreservedly acknowledges (1841-7) the Russian right to the thirty miles border; and in 1857,

before a Select Committee of the House of Commons, he again acknowledged it, and that the Company leased it. He was in a position to have secured every possible advantage to the Company if Great Britain had any claim to that lisière.

The geographer Tebenkof, 1849-1852, expresses the Russian views by claiming all the islands of the Archipelago Alexander, and the ten marine leagues strip or border of the mainland.

Mr. Alexander Begg, in 1894, could not see through the assumed mystery of the Portland Channel, and declared the delimitation of that part of the boundary impracticable.

Mr. R. E. Gosnell, 1897, makes the extraordinary claim that the boundary line must extend ten leagues eastward from the Pacific Coast of the Archipelago, and not from the Continental shore.

Hon. David Glass, Q. C., 1899, runs his boundary so as to put the heads of all the inlets, channels, canals, etc., into British Columbia.

Sir Charles H. Tupper, Q. C., etc., is the first to use the term "water-shed" to the crest-line of mountains nearest the ocean. He contends for Pearse Canal as Portland Inlet, and claims that Taiyá Inlet, with the towns Dyea and Skagway, are in British territory, but are permitted to be retained by the United States.

As in the case of the presentation of the British and Canadian Maps and Charts, we have here presented a similar condition of authority. The boundary border of thirty miles is accepted by the authority of Great Britain, and is rejected by the Dominion of Canada.

At this point we propose to give, in some detail, the description of certain geographical features of the Archipelago Alexander which are more especially involved in the question at issue.

#### DIXON ENTRANCE.

One important area of water in the approaches to Portland Inlet was given no name by Vancouver, although all the great straits leading from it were named. His vessels approached Portland Inlet from the southward in part through the ten miles wide channel which lies between Dundas Island and the mainland on the east;

and to this channel he gave the name Chatham's Sound. To that large area of waters hence sixty miles to the westward, and over thirty miles wide north and south, between the Prince of Wales Archipelago and the Queen Charlotte Archipelago, he gave no name, probably because he had not sailed through it; and west of Clarence Strait, he utilized all the shore lines from the Spanish explorers.

This unnamed area is the Dixon Entrance of late charts, English and American. It is the "Entrada de Perez," because first seen by Don Juan Perez of the fragata *Santiago* in July, 1774; the Dixon's Straits of Captain Dixon's Chart, 1787; Douglas Entrance after Captain Douglas of the *Iphigenia*, 1788; *Détroit de Vancouver* of Brué, 1827; the Strait of Kygahne of Tebenkof's chart, 1848; Granitza Strait on the Russian Admiralty Chart No. 10, series Eastern Ocean, 1848, and on the British Admiralty Chart No. 2172; Dixon's Channel by Findlay, 1851; Dixon's Entrance, British Admiralty Charts Nos. 2461, 1856-65, and 2431, 1865-88, which latter also duplicates the name by applying it to the passage between Cape Fox and Dundas Island; and Dixon Sound, Davidson's Coast Pilot of Alaska, 1869.

It is particularly noteworthy that the name Granitza Strait given by the Russian Hydrographic Department to the Dixon Entrance means Boundary Strait.

No one of the names earlier or later than Vancouver's date are referred to in the Treaty of 1825 between Russia and the United States.

#### PRINCE OF WALES ARCHIPELAGO.

There is another name that enters into this question:—"Prince of Wales Island."

This name is not mentioned in Vancouver's Narrative, nor is it on his Chart. In September, 1793, he reconnoitered the eastern shore of this Island or Archipelago from the "Cabo de Chacon" of Caamano to the northern extremity; thence around the northwest shores, and left the Island at "Cabo de San Bartolom" in latitude  $55^{\circ} 12'$ . He writes, page 419, Volume II: "Its western

shore is an extensive tract of land, which (although not visibly so to us) I have reason to believe is much broken, and divided by water, forming as it were a distinct body in the great Archipelago. This I have honored with the name 'THE PRINCE OF WALES'S ARCHIPELAGO.'" On his chart the same name is given.

On Vancouver's chart this extensive tract of land is laid down as 115 nautical miles long northwest and southeast, and 50 nautical miles wide. The whole southern and southwestern part is drawn from the survey of Caamano and retains his names of the capes, gulfs and bays; but neither Caamano, nor Vancouver, has any strait or straits cutting it into an archipelago, and it is therefore projected on his chart as a single area of land, or as an island. On the French reproduction of Vancouver's Charts, it is designated "Archipel du Prince de Wales." In the Treaty between Russia and Great Britain in 1825, it is called the "Prince of Wales Island." Tebenkof calls it the "Islands of the Prince of Wales,—(very many)"; the Russian Admiralty Chart No. 10, the "Archipelago of the Prince of Wales." On the British Admiralty Charts Nos. 2431 and 2461, it is named "Prince of Wales Island and Archipelago," and "Prince of Wales Island" respectively; on the U. S. Coast and Geodetic Survey Charts, it is named "Prince of Wales Island."

The three capes at the southern part of Prince of Wales Archipelago of Vancouver and Caamano are (naming them from the west), Muzon, Nunez and Chacon, and were so named by Caamano. They are nearly on the parallel of  $54^{\circ} 42\frac{1}{2}'$ , but Muzon is a little south of the others. While they are not named in the negotiations two of them are referred to more than once: "des deux pointes de l'Île du Prince de Galles" (Page 429), in the "Draft Convention," Article II (Page 435), and in Article I of the "Counter-Draft" (Page 441).\*

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\* *Fur Seal Arbitration: 1893. Volume IV.*

## THE NAMES OF PORTLAND CANAL, OBSERVATORY INLET, AND PRINCE OF WALES ISLAND.

### EXAMINATION OF VANCOUVER'S CHARTS AND NARRATIVE.

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There is, once in a long while, some little discrepancy between the names on the charts and those in the text of Vancouver. These trifling oversights would have no weight under ordinary circumstances when a pen note would correct them. If the text and the charts be carefully collated, the differences are satisfactorily adjusted.

In July, 1793, Vancouver found three English fur trading vessels at anchor in latitude  $54^{\circ} 18'$  off the northern extremity of Stephens Island, and twenty-five miles southwest from the entrance to Portland Inlet. (Volume II, page 324.) The Chief in command informed Vancouver that he had "sailed up a large opening whose southern entrance was in  $54^{\circ} 45'$ ." This, says Vancouver, "is probably the same as that laid down in Sen<sup>r</sup>. Caamano's chart, named *Estrecho de Almirante Fuentes*." "Mr. Brown found it to extend to the north-westward, with several arms branching from it in various directions to the latitude of  $56^{\circ} 20'$ ; where, in a south-westerly direction, it again communicated with the north Pacific. He had understood, from the natives, that there was in this neighbourhood a very extensive inland navigation, communicating with a sea to the northward, that occupied the inhabitants nearly three months in reaching its extent, where they traded for whale oil, sea otter skins, and other marine productions." (Page 325.)

That is a clear description of Clarence Strait through which Vancouver sailed in September, and reached the Pacific by what is now known as Sumner Strait, although Vancouver considered it part of the "Duke of Clarence's Strait." (See his chart.)

From their anchorage at Stephens Island, Captain Brown described the entrance to an extensive arm as lying toward the N. N. E. about nine leagues distant, but he had not penetrated any distance into it because having entered one of the small branches

that extended to the southeastward with his sloop and schooner, he came in conflict with the natives and fired upon them. (Page 325.) Mr. Whidbey commenced his examination of the Continental shore towards this N. N. E. opening, (Page 326), and on Sunday, July 21st, entered this arm, to the southeast point of whose entrance he gave the name "*Point Maskelyne*." It is situated in latitude  $54^{\circ} 42\frac{1}{2}'$ . (See chart and page 327, of Narrative, Volume II.)

This is the entrance to Portland Canal or Inlet; and we have been thus explicit because it is the first inlet mentioned in the Convention of 1825 and the Treaty of 1867, and some explanation is needed about the proper designation.

This canal at the entrance is three nautical miles wide, and carries that width northeastward for twenty-one miles; there it branches, and Observatory Inlet continues forty miles to the north-northeastward; and Portland Canal continues fifty miles to the northward. Each of these arms has decreased width. From the entrance they carry extreme depths of water; 318 fathoms at entrance; 150 fathoms at bifurcation; thence 138 fathoms to head of the north arm; and 38 fathoms, no bottom, to head of Observatory Inlet. (U. S. Coast and Geodetic Survey Chart No. 8050.) The walls of these great inlets or fiords reach four and five thousand feet above the sea.

Parallel with the broader inlet and to the west is "Pearse Inlet," a narrow, deep channel, of difficult navigation and full of dangers, as described by Vancouver from personal inspection. (Volume II, pages 341, 345, 378.) The channel is separated from Portland Inlet by Pearse Island and Wales Island.

In comparing Vancouver's Chart and his Narrative, we find the following conditions: He had been away on boat duty, and on the 15th of August he reached "that arm of the sea, whose examination had occupied our time from the 27th of the preceding to the 2d. of this month. The distance from its entrance to its source is about 70 miles; which, in honor of the noble family of Bentinck, I named PORTLAND'S CANAL." (Volume II, page 371.)

On his chart there is no name to the lower and broader and

deeper part of the Inlet, which is twenty-one miles long, but on the chart the upper fifty miles is named "PORTLAND CANAL."

In regard to the name "Observatory Inlet," there is a slight discrepancy between the Chart and the Narrative, and the Narrative itself.

While Vancouver had been away for twenty-three days on the boat exploration along the Continental shore to the head of Portland Canal, and through "Behm's Canal" (Page 368), Mr. Whidbey had been left at Salmon Cove in Observatory Inlet to make observations for latitude and longitude, and the rates of the chronometers, magnetic variation and tides. When ready to leave the anchorage at Salmon Cove, Vancouver writes, "in consequence of our having been so fortunate as to be able to obtain those [observations] that were essential for correcting our former survey, and for our future regulation in that respect, this branch obtained the name of "OBSERVATORY INLET." (Page 375.)

On the chart he applies this name to the branch reckoned from Point Ramsden (latitude  $54^{\circ} 59'$ ) where the two branches of the lower and broader inlet of twenty-one miles in length separate. So far the narrative and the chart agree, but in a new chapter he forgets his former statement and begins by saying: "The route by which the vessels had advanced [up the inlet from Points Maskelyne and Wales] to Salmon Cove, being infinitely better for them to pursue towards Cape Caamano than the intricate channel [via Pearse Canal] through which I had passed in the boats, we weighed," etc., etc. After much difficulty the vessels did "not reach the entrance to Observatory Inlet until 2 o'clock in the morning of the 20th [of August]; a distance of not more than 13 leagues from Salmon Cove.

"The west point of Observatory Inlet I distinguished by calling it POINT WALES." (Page 379.)

On his chart the distance from Salmon Cove to Point Wales is 15 leagues, and therefore his two statements are contradictory. The weight of evidence is decidedly in favor of the Portland Canal being the term he intentionally fixed to the main and longest channel. He designated it by name in honor of a nobleman,

he gave its length about 70 miles (it is 73 on his chart), and the northnortheast branch was a secondary inlet and named from the establishment of a point of observation.

English and American authorities have followed the charts of Vancouver, and frequent practice has applied the name of Portland Inlet to the lower and wider and deeper stretch of twenty-one miles between Point Wales and Point Ramsden. All authorities, English, Russian and American, have restricted the name Observatory Inlet to the arm so named by Vancouver on his Chart and in his Narrative.

We here present some of the authorities:

"PORTLAND INLET\* extends from the northeastern part of Chatham Sound in a general northeasterly direction for 20 miles, thence it divides, one arm continuing to the head of Observatory Inlet and the other taking a northerly direction to the head of Portland Canal. At its southern entrance between Wales and Maskelyne Points, the inlet is about three miles wide, and its shores are comparatively free from danger beyond the distance of 400 yards." (Page 418.)

"PORTLAND CANAL.\*—At about 20 miles from Wales Point an arm branches off N. W. 6 miles, with an average breadth of  $1\frac{1}{2}$  miles. Here a channel (now named Pearse Channel) stretches to S. W., which was not examined in the survey of 1868. From this the canal trends in a general northerly direction for about 55 miles. Throughout the canal no soundings were obtained at 40 fathoms. It possesses the general characteristics of the other fiords on the coast of British Columbia, viz., high land on both sides, terminating in low, swampy land at the head, and deep water, with few and indifferent anchorages.

"The head of Portland Canal terminates in low, woody, swampy land, through which two rivers flow into it.

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\* *The Coast of British Columbia including the Juan de Fuca Strait, Puget Sound, Vancouver and Queen Charlotte Islands.* (Hydrographic Office Publication No. 96.) Compiled by R. C. Ray, U. S. Navy, under the direction of Richardson Clover, Hydrographer. Washington, Government Printing Office, 1891.

Compiled from *Coast Pilot of California, Oregon and Washington*, by Davidson; from *British Columbia Pilot*, Admiralty, etc., etc.

"Ramsden Point divides Observatory Inlet from Portland Canal." (Coast Pilot British Columbia as quoted by U. S. Hydr. Publ. No. 96, page 415.)

The British Admiralty Charts, No. 2461 of 1856 and No. 2431 of 1865 with later additions to 1888, confirm the above statements as to names and characteristics.

The latest U. S. Coast Survey Chart shows that the deep water reaches to latitude  $55^{\circ} 55'$ ; beyond that the Cañon is reduced to half its width to  $56^{\circ} 02'$ , and is filled with detritus through which the Bear River runs. The walls, one or two miles back, reach an elevation of over 5000 feet. The length of the Canal is 84 miles.

All English authorities have not reckoned the entrance of Portland Canal to lie between Points Maskelyne and Wales. Findlay, in his Directory of the Navigation of the Pacific Ocean,\* after describing Portland Canal (Page 431), enters into a description of the islands just to the westward of Point Wales (Page 432), and of the present Nakat Inlet, laid down but not named by Vancouver, and considers that "Portland Canal, which may be considered to terminate here [Cape Fox], is the boundary between the Russian and British possessions on the North American Continent." In the second edition of 1870, the same expression is used, but one paragraph has been omitted that would leave some doubt about the "termination" of the canal (Page 435); yet, on Page 449, he says that "*Cape Fox* forms the N. W. point of the approaches to it." An examination of the chart shows that Cape Fox is nine miles directly north of the north end of Dundas Island, which has a northern shore line of six miles east and west.

Mr. Findlay's can not be strained to mean that Vancouver's entrance to Portland was by any one of the narrow, tortuous and dangerous passages among the islands that lie between Cape Fox

\* *A Directory for the Navigation of the Pacific Ocean: with descriptions of its Coasts, Islands, etc., from the Strait of Megalhaens to the Arctic Sea, and those of Asia and Australia; its winds, currents and other phenomena.* In two parts. By Alexander G. Findlay, Fellow of the Royal Geographical Society. Part I. The Coasts of the Pacific Ocean. [Monogram.] London: Printed for R. H. Laurie, Chart-seller to the Admiralty, the Hon. Corporation of Trinity House, etc. No. 53 Fleet Street, 1851.

and Point Wales. He simply adds to the enlarging of the approaches; but the views of Vancouver, as a navigator and a geographer, should be accepted.

We have been three times through the passages leading to Tongass.

The first time that the name "Portland Channel" was used is in the "Observations of Russian Plenipotentiaries on Sir C. Bagot's amended Proposal," accompanying his letter of March 17th, 1824, to Mr. G. Canning. (Page 429.)

It may be mentioned in this place that the island of which the Point Wales of Vancouver is the southeast projection, is now known on the charts as Wales Island. It is moderately large, being eight miles north and south, and nearly as much east and west. It was named "Isla Ulloa" by Caamano, 1793; Vancouver gave it no name.

## RUSSIA JEALOUS OF HER TERRITORIAL RIGHTS.

1825 TO 1867.

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After the Convention of 1825, Russia was alert to any and every indirect infringement of her rights by the United States and Great Britain through their citizens and subjects.

The Convention declared that Great Britain should not occupy any point upon the coast or continent within the Possessions of Russia; and that Russia should not occupy any point south of the said Possessions. (Article V.) But during ten years from the date of the Convention, the ships of both powers and the vessels belonging to the subjects thereof, could reciprocally frequent all the waters upon the coast mentioned in Article III, for the purposes of fishing and of trading with the natives. The subjects of Great Britain had, by Article VI, the right of navigating freely all the rivers and streams that crossed the lisière or border, whether said subjects came from sea or from the interior; and by Article VII, the ships of both powers, or vessels belonging to their subjects, could reciprocally frequent all the waters of the Archipelago Alexander north of latitude 54° 40'.

The Hudson's Bay Company was anxious to establish communication from the Mackenzie and Liard to the Pacific; and in 1834, one of the Company's explorers had actually reached the upper Stakheen, but mistook it for the Pelly River. To protect their traders who might use the Stakheen route, the Hudson's Bay Company, in 1834, fitted out the brig *Dryad* at Fort Vancouver, Columbia River, for the purpose of establishing a post and colony near the mouth of the Stakheen; but the Russian Governor of Alaska had been made aware of that project, and sent two small armed vessels to the locality, where they constructed a defensive work on the northwest part of Wrangell Island, in the small bay now known as Port Wrangell. The redoubt was named St. Dionysia.

In 1867 we visited the site and remains of this defensive work.\*

When the *Dryad* arrived at this bay it is asserted that she was fired upon by the Russian vessels; at any rate, guns were fired and the brig retired out of their range. A parley took place, but the Russian officer was immovable and the *Dryad* sailed for Port Vancouver.

The rival fur Companies referred their grievances in this affair to their respective Governments without any tangible result. In 1839, the matter in dispute between the Hudson's Bay Company and the Russian American Company was settled by compromise. The Hudson's Bay Company yielded in its demands, and the Russian American Company granted to the Hudson's Bay Company a further lease of ten years of the lisière or border of the Continental shore from Portland Inlet to Cape Spencer at the northwest point of the entrance to Icy Strait or Cross Sound.

In 1834, during the progress of these discussions, the Hudson's Bay Company established Fort Simpson, about nine miles south of the entrance to Portland Inlet. Old Fort Simpson had been located in 1831 near the mouth of the Nass River, that empties into Observatory Inlet from the northeast. The Russian Chart notes that it remained there until 1835.

The compromise of 1839 between the Companies included a yearly rental of two thousand otter skins, afterwards changed to £1,500, and certain supplies of provisions for the Sitka colony: (see Sir George Simpson's testimony in 1857, already quoted.) The latter materials were required on account of the prospective abandonment of the Fort Ross establishment in California, whence supplies had been obtained after its foundation.†

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\*The Russian Hydrographic Chart No. 10, Eastern Ocean Series, 1848, has a plan of the harbor Etolin (Wrangell), the location of the redoubt, the outline of the stockade and the building as surveyed by Captain Dionysi Zarembo in 1834. This chart names the Island Wrangell; Tebenkof calls it Katchhanna; other authorities have called the bay and the island Etolin.

†Fort Ross was sold by the Russ. Amer. Co. to John Sutter of Sutter's Fort (now Sacramento) on the 13th of December, 1840. See *Russian Settlements in California*, by R. A. Thompson, Santa Rosa, Cal., 1896, page 13.

On the first of June, 1840, in compliance with this agreement between the two companies, the redoubt St. Dionysia was abandoned by the Russian American Company, and Chief Factor James Douglas of the Hudson's Bay Company took possession by raising the British flag, which was saluted with seven guns from the Company's steamer *Beaver*. He renamed the post Fort Stikine or Stickeen, and left eighteen men and an officer of the Company in charge; and then sailed for Sitka, where Governor Etolin gave him a salute of nine guns.

Chief Factor Douglas remained at Sitka ten days arranging future trade matters with the Governor; then steamed for the River Taku, upon which he selected a site about fifty miles up the river, and built a fort which he named Durham, where he left eighteen men and two officers, of which the second was Roderick Finlayson, who declared it "as dismal a place as could be imagined." Thence he visited various islands to learn the temper of the natives.\*

Bancroft † relates that while Chief Factor Douglas was at Sitka, he was in constant and friendly intercourse with the Russian American Company, represented by Governor Etolin, and "the question of boundary was settled in a manner that will prevent any future misunderstanding;" and when he departed a salute of nine guns was fired by the Russian vessels in the harbor, and returned by the *Beaver*.

A few words may be added about Mr. Begg's statement of a fort being established fifty miles up the Taku River. The Russian charts of 1848 have no such location as Fort Durham, nor could the *Beaver* ascend higher than fifteen miles according to the U. S. Coast and Geodetic Survey. Sir James Douglas' letter of May 12th, 1868, to George Davidson, states explicitly that the Taku River had never been made use of by the Hudson's Bay Company. In fact, the Russian charts have the Inlet laid down as Vancouver has it; but these charts have their port of call at the Taku harbor and village on the eastern shore of Stephens Passage, about ten

\* *History of British Columbia.* Alexander Begg, C. E. Toronto, 1894. Page 144.

† *Alaska:* Page 557. Bancroft erroneously entitles him Sir James Douglas.

miles south of the entrance to Taku Inlet. As a Hudson's Bay Company post, this was abandoned in 1843. In 1867, this small bay was known as the Taku Post.

Dr. George M. Dawson, in his "Report on an Exploration in the Yukon District, N. W. T., and adjacent northern portion of British Columbia in 1887,"\* writes, page 59, "This fort [Durham] was situated at a place named by the late Sir James Douglas 'Locality Inlet' about thirty miles southward from the mouth of the Taku River, and near the entrance of the inlet of the same name, in sight of Douglas Island. It was abandoned in the spring of 1843, and is sometimes referred to as Taku Fort."

In 1840, Fort Stikine successfully sustained an attack by the Indians. In 1841, the Indians cut off their water supply, quite an easy task because it was on a low, narrow peninsula. In 1842, a still more serious attack was threatened, and only averted by the timely arrival of Sir George Simpson, Governor-in-Chief of the Territories of the Hudson's Bay Company in America. (See his Narrative already referred to.)

In 1847, the Coast Indians are stated to have attacked and taken possession of the Fort.

During the Crimean campaign of 1854-55, the territories of Great Britain and Russia on the northwest coast were untouched. The Russians at Sitka believed that the two rival Companies had strong influence upon their respective governments, because a British naval vessel was in those waters, entered Sitka Sound, sent in a boat to inquire if any Russian vessel was in that region, and upon assurance there was none, left. This belief is confirmed by the testimony of Sir George Simpson in 1857, before a Select Committee of the House of Commons of the British Parliament. "Both Governments confirmed the arrangements made by the two Companies."

On the Asiatic coast the English made an unsuccessful attack on Petropaulski; later the French and English vessels attacked the post and village of Petropaulski on the Kamchatka coast and destroyed them.

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\* Published at Ottawa by the Geological Survey of Canada in 1898.

If Great Britain had any claim upon the Continental shore of the Archipelago Alexander, that was the opportunity to make a demonstration and occupy Sitka.

We have before mentioned that in 1854 the Russian Government made its first offer to sell Alaska to the United States, through Baron Stoeckl.\*

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In 1861, gold was discovered on the Stakheen, and conflicts took place between the natives and the miners in that and the following year. In these troubles it was reported that one or more Englishmen had been killed; and in September, 1862, the British Sloop of War *Devastation*, Captain Pike, R. N., commanding, arrived at Sitka from Victoria, B. C., to ask from Governor Furuhieln the privilege of visiting Port Wrangell and the vicinity of the mouth of the Stakheen. She was given that privilege, but at the same time the Governor directed Capt. P. de Lemascheffsky to quickly outfit the Company's brig *Alexander II*, and proceed to the Stakheen, and "in the interests of humanity to bring these Indians to terms and to protect British subjects."†

He arrived after the *Devastation*, and found the village at Wrangell deserted by the Indians, except those dying of the small-pox. The Commander of the *Devastation* proposed to send a boat expedition up the Stakheen, but abandoned the project upon the assurance of Lemascheffsky that every Indian would desert his village upon the approach of the boats.

This transaction made Russia more and more jealous of her territorial rights in this region, and when the Government learned from Admiral Popoff, in 1862, the facts about the *Devastation's* visit, and that placer gold had been discovered in 1861 on the Stakheen about thirty miles from Wrangell, the Admiralty promptly ordered the Corvette *Rynda*, Commander Bussarguine, from Hakodadi, Japan, to Sitka. She arrived there May 14, 1863, and after consultation with the Governor, the vessel sailed for the

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\* *House of Representatives, 40th Congress, 2d Session, Ex. Doc. No. 177. 1868.*  
Page 46.

† Letters of Capt. Lemascheffsky to George Davidson dated October 4th, and December 5th, 1899. He says he can sustain his statements by verified documents.

mouth of the Stakheen; and the boats made the survey of the river to the rapids above the Little Cañon, as elsewhere related.\* This survey was made, according to Dawson (page 60), to learn whether the mining was being done in Russian Territory.

These transactions between the rival fur Companies support our assertion that the Russian Government was jealous of her territorial rights on the lisière or border of the Continent that embraced the Archipelago Alexander. No contention whatever had been presented by the Government of Great Britain to any rights of this lisière, or in the Archipelago. On the contrary, the British Government rigidly respected the territorial rights of Russia.

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\* *Geographical Notes upon Russian America and the Stickeen River*, being a report addressed to the Hon. W. H. Seward, Secretary of State. By William P. Blake. With a map of the Stickeen River. Washington: Government Printing Office 1868. Part of this was printed in the *Sacramento Union* in 1863, and in *Petermann's Mitteilungen*, Vol. X, 1864.

THE HUDSON'S BAY COMPANY REACHING THE  
PACIFIC FROM THE MACKENZIE RIVER. THE  
RUSSIAN AMERICAN COMPANY ENTERING  
THE INTERIOR BY THE YUKON  
AND OTHER RIVERS.

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The Hudson's Bay Company had gradually pushed their traffic by land from Hudson Bay far to the northwest, but had not crossed the Rocky Mountains, until Alexander Mackenzie, between 1789 and 1793, made his memorable journey from Montreal through the continent "to the Frozen and Pacific Oceans." In this journey of exploration he endeavored to reach the Pacific Coast, but he only reached Cascade Canal and the waters of Bentinck's Arms in latitude  $52^{\circ} 21'$ , and, of course, he did not see the Pacific Ocean. From this situation he returned to the northeast to Slave River. (Chapter XI.)\* After this exploration, the Hudson's Bay Company stations were eventually established on the Mackenzie and tributaries, and on the Yukon and its tributaries. Fort Yukon, one of the latest, 1847, was pushed to the confluence of the Yukon and Porcupine, or more than four degrees west of the boundary of the 141st meridian, but it was promptly abandoned in 1869 when Captain Charles P. Raymond, U. S. Engineers, informed the Factor that it was in American Territory. Fort Selkirk, founded in 1848 at the confluence of the Lewes and Pelly Rivers, was destroyed by the warlike Chilkahat chief Koh-klux', August 21st, 1852, as he personally related the circumstances to us in 1869. It was not reoccupied. The Rampart House on the Porcupine was removed to the east of the 141st meridian in 1890, when informed by Mr. John H. Turner of the U. S. Coast and Geodetic Survey that it was in American territory.

In the Archipelago Alexander, the Hudson's Bay Company made no effort to use either the Chilkahat, the Taku or the Stakheen streams as a means of intercommunication between the interior of the country and the waters of the Pacific.

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\* London. 1801. One volume quarto, 3 maps, portrait. pp. CXXXII, 412.

This is clearly shown in the capital hydrographic survey of Captain Pender, R. N. He carried his work from Vancouver Island to Portland Inlet, but never into the Archipelago, and his survey of that inlet and Portland Canal to the head in 1868 has most of his single line of mid-channel soundings marked, "no bottom," with forty fathoms of line.\*

The first failure of the Hudson's Bay Company to establish a post was in 1834, when the first ten years leave to trade through these waters was about expiring. We have elsewhere mentioned the attempt to found a post near the mouth of the Stakheen, as they had done in Observatory Inlet at Nass Bay, and subsequently at Fort Simpson, just south of the entrance to Portland Inlet.

They had no knowledge of the Stakheen, although in Dr. Dawson's report of the Yukon District, 1887, published in 1898, Mr. McConnell intimates that the Company intended to use the river. He says, (page 59,) "the unsuccessful attempt made by the Hudson's Bay Company in 1834 to reach the trade of the interior country west of the Rocky Mountains from the mouth of the Stikine has already been noted."†

The traders of the Hudson's Bay Company remained ignorant of the course or length of the stream, even in 1838. In 1834 they had traveled south and west from the Liard River and had reached the Tanzilla, near the great bend of the Stakheen, and mistook it for the Pelly River.

In 1838, they attempted to establish a trading post at Dease Lake, one hundred and fifty miles from the mouth of the Stakheen, but failed after some rough experience related by Mr. Campbell, the head of the party of four. "We passed a winter of constant dread from the savage Russian (coast) Indians, and of much suffering from starvation. We were dependent for subsistence on what animals we could catch, and, failing that, on 'tripe de roche' [lichen or moss]. We were at one time reduced to such dire straits that we were obliged to eat our parchment windows, and

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\* Br. Adm. Chart No. 2431, 1865.

† *Exploration in the Yukon District, 1887.* George M. Dawson, Ottawa, 1898.

our last meal before abandoning Dease Lake on the 8th May, 1839, consisted of the lacings of our snow shoes."

Up to 1839 all their interior trade had been going home by way of the Liard, leading to the Mackenzie, and the streams and lakes to the eastward and southward. In 1840, Chief Factor James Douglas, upon his visit to Sitka and Fort Stickeen, declared his opinion that "the business along the coast could be more profitably carried on by itinerant visits than by continuing the established forts." This view was apparently concurred in by Sir George Simpson, the Governor-in-Chief of the territories of the Hudson's Bay Company.\* This decision was sound, because new means had come to change the old methods. All the work through the interior waters from Lynn Canal to Puget Sound was transacted by means of the Steamer *Beaver*, which had come upon the coast in 1835.

They made no attempt to use the Taku route or the Chilkahat, as we have shown by Governor Sir James Douglas' letter of 1868; and as we personally learned from the Chilkahats in 1869; and Dr. Dawson, in his report of 1887, (page 19B) says, "Little is yet known of the Taku River, but the Indians ascend it in canoes to a point at a distance of about eighty miles from the head of Taku Inlet."

Nevertheless, the Factors of the Hudson's Bay Company carried on traffic among the Indians of the Archipelago Alexander, not only by means of native traders, but with their steamers.

In 1862, the H. B. C. Steamer *Labouchere* was nearly captured by the Hoonah Indians on Saturday, August 2nd, as appears from documentary evidence. We have learned this took place at the Hoonah Village and anchorage in Port Frederick, on the south shore of Icy Strait or Cross Sound in latitude 58° 07'.

In 1867, we were at Fort Simpson and at Fort Tongass, and learned from the Hudson's Bay trader at the former place that a large traffic was carried on with the Haidah Indians of Prince of Wales Archipelago and Queen Charlotte Archipelago.

In his letter of May 12th, 1868, Governor Douglas says that the natives along the Taku and the Chilcat "now keep up a constant

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\* Alexander Begg. *History of British Columbia.* Page 145.

intercourse with the white settlements, both Russian and British." And in 1869, when on the Chilkahlt River at Klu-kwan', we learned the traffic of the natives was with the Hudson's Bay Company traders, as well as with Sitka.

While the Hudson's Bay Company was thus restricted in its efforts of exploration, the Russian American Company gradually, but persistently, pressed into the interior along the river courses so soon as the fur traffic of the sea began to decrease. They found the natives averse to this inroad into the country, because the coast tribes acted as middle men between the Russians and the tribes of the interior. Notwithstanding this opposition they made trips on some of the river courses, and established trading posts protected by one or more soldiers. They reached into the Yukon, the Kuskokwim, the Nushagak, the system of lakes lying between the last two rivers, the three Iliamna Lakes, Cooks Inlet and the Shushitna, Prince William Sound, the lower part of the Copper River, and Yakutat Bay. In the Archipelago Alexander, Lindenberg had gone well up the Chilkahlt River in 1836 and established boundary marks, and they had examined the Taku Inlet, and the Stakheen at least sixty-six miles.\* And on the charts of Tebenkof of 1849, are laid down all the steamer routes and trading stations from Pyramid Harbor, at the head of the Chilkahlt Inlet, throughout the Archipelago, even to Nass Bay, in Observatory Inlet, where the Hudson's Bay Company had a Factory until 1835, (Russian chart just quoted,) when it was abandoned for the present Fort Simpson, which was established in 1834.

In the Russian reconnaissance of the Stakheen in 1863, as elsewhere related, the party found no signs of any Hudson's Bay Company occupation.

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\* *Russian Hydrographic Chart No. 10. Series Eastern Ocean. 1848.*

THE HUDSON'S BAY COMPANY NEVER MADE ANY  
USE OF THE TAKU OR CHILKAHT ROUTES  
INTO THE INTERIOR.

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The following statement fully sustains the assertion that the Hudson's Bay Company never made use of the Chilkahnt or Taku routes to the interior:

Extract of a letter dated Victoria, 12th May, 1868, from Sir James Douglas, then Chief Factor of the Hudson's Bay Company in the northwest and Governor of British Columbia, to George Davidson, Asst. U. S. Coast Survey, Washington, D. C. Mr. Davidson had asked for information regarding the Chilkahnt and Taku Rivers, up which he proposed to carry an astronomical party in 1869, to observe, by order of the Government, the total Solar eclipse of that year.

"I am sorry to say that the information we possess, about the character of the Rivers and means of travelling in that part of the country are of the most meagre description; neither the Chilcat nor Takow Rivers having ever been made use of by Hudsons Bay Company, as routes of communication to and from their inland Posts and the sea coast. In fact the only route, north of Columbia River, resorted to, for that purpose by the Hudsons Bay Company, is that, which follows Fraser's River and its tributaries, from the sea coast to the Rocky mountains.

"We have thus no positive evidence of the fact, that the Chilcat or Tacow Rivers are either of them generally navigable; on the contrary, I think this may be predicted of them, only for a short distance from the coast, and in craft not larger than Boats or canoes."

Further on he limits the boat navigation to 30 or 50 miles, the latter distance up the Tacow. He says the Chilcats are a very powerful tribe, excessively saucy and turbulent, though not dishonest, nor destitute of a rough, generous hospitality.

Then he speaks of the seasons, possibilities of transportation, and recommends a retired Chief Trader of the Company as a good conductor, etc.

We append his letter to this paper.



## THE TREATY OF 1867 BETWEEN RUSSIA AND THE UNITED STATES.

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We now present the French and English texts of the Treaty of 1867 between Russia and the United States. They are given in parallel columns for facility of reference and comparison, from the President's message of March 2d, 1889.

Immediately following this document, we make some remarks upon the translation, and upon a point of difference in the stipulations.

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### TREATY CONCERNING THE CESSION OF THE RUSSIAN POSSESSIONS IN NORTH AMERICA BY HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS TO THE UNITED STATES OF AMERICA.\*

[Concluded March 30, 1867; ratifications exchanged June 20, 1867; proclaimed June 20, 1867.]

#### *English Translation.*

The United States of America and His Majesty the Emperor of all the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that purpose, appointed as their Plenipotentiaries: The President of the United States, William H. Seward, Secretary of State; and His Majesty the Emperor of all the Russias, the Privy Counsellor Edward de Stoeckl, his Envoy Extraordinary and Minister Plenipotentiary to the United States.

And the said Plenipotentiaries hav-

#### *French Text.*

Sa Majesté l'Empereur de toutes les Russies et les États-Unis d'Amérique, désirant raffermir, s'il est possible, la bonne intelligence que existe entre eux, ont nommé, à cet effet, pour leurs plénipotentiaires, savoir; Sa Majesté l'Empereur de toutes les Russies, le Conseiller Privé Edouard de Stoeckl, son envoyé extraordinaire et ministre plénipotentiaire aux États-Unis; et le Président des États-Unis, le Sieur William H. Seward, Secrétaire d'État, lesquels, après avoir échangé leur pleins pouvoirs, trouvés en bonne et

\* *Senate, 50th Congress, 2d Session, Ex. Doc. No. 146.*

Message from the President of the United States, transmitting Report of the Boundary Line between Alaska and British Columbia. March 2, 1889. Pages 36-40.

ing exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

#### ARTICLE I.

His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28–16, 1825, and described in Articles III and IV of said convention in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and 133d degree of west longitude, (meridian of Greenwich,) the said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude, (of the same meridian;) and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean.

due forme, ont arrêté et signé les articles suivants:

#### ARTICLE I.

Sa Majesté l'Empereur de toutes les Russies s'engage, par cette convention, à céder aux États-Unis, immédiatement après l'échange des ratifications, tout le Territoire avec droit de souveraineté actuellement possédé par Sa Majesté sur le continent d'Amérique ainsi que les îles contiguës, le dit Terrotoire étant compris dans les limites géographiques ci-dessous indiquées; savoir: la limite orientale est la ligne de démarcation entre les possessions Russes et Britanniques dans l'Amérique du Nord, ainsi qu'elle est établie par la convention, conclue entre la Russie et la Grande-Bretagne, le 16–28 février 1825 et définie dans les termes suivants des articles III et IV de la dite convention:

"À partir de point le plus méridional de l'île dite Prince of Wales, lequel point se trouve sous la parallèle de 54me degré 40 minutes de latitude nord, et entre le 131me et 133me degré de longitude ouest (méridien de Greenwich) la dite ligne remontera, au Nord le long de la passe dite Portland Channel, jusqu'au point de la terre ferme où elle atteint le 56me degré de latitude nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte jusqu'au point d'intersection du 141me degré de longitude ouest (même méridien), et finalement, du dit point d'intersection la même ligne méridienne du 141me degré formera, dans son prolongement jusqu'à la mer Glaciale, la limite entre les possessions Russes et Britanniques sur le continent de l'Amérique nord-ouest.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia," (now by this cession, to the United States.)

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation into the same Frozen Ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direct-

"IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l'article précédent :

"1°. Que l'île dite Prince of Wales appartiendra toute entière à la Russie;" (mais dès ce jour en vertu de cette cession aux États-Unis.)

"2°. Que partout où la crête des montagnes qui s'entendent dans une direction parallèle à la côte, depuis le 56me degré de latitude nord au point d'intersection du 141me degré de longitude ouest se trouverait à la distance de plus de dix lieues marines de l'océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie" (c'est-à-dire la limite des possessions cédées par cette convention :) "sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de dix lieues marines."

La limite occidentale des territoires cédés passe par un point au détroit de Behring sous la parallèle du soixante cinquième degré trente minutes de latitude Nord à son intersection par le méridien qui sépare à distance égale les îles Krusenstern ou Ignalook et l'île Ratmanoff ou Noonarbook et remonte en ligne directe, sans limitation, vers le Nord, jusqu'à ce qu'elle se perde dans la mer Glaciale. Commencant au même point de départ, cette limite occidentale suit de là un cours presque Sudouest, à travers le détroit de Behring et la mer de Behring, de manière à passer à distance égale entre le point Nordouest de l'île Saint Laurent et le point Sudest du cap Choukotski jusqu'au méridien cent soixante douzième de longitude Ouest; de ce point, à partir de l'intersection de ce méridien, cette limite suit une direction Sudouest de mani-

ion, so as to pass midway between the island of Attou and the Copper island of the Kormandorski couplet or group in the North Pacific ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

#### ARTICLE II.

In the cession of territory and dominion made by the preceding article, are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed, that the churches which have been built in the ceded territory by the Russian Government, shall remain the property of such members of the Greek Oriental Church resident in the territory, as may choose to worship therein. Any government archives, papers and documents relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the agent of the United States; but an authenticated copy of such of them as may be required, will be, at all times, given by the United States to the Russian Government, or to such Russian officers or subjects, as they may apply for.

#### ARTICLE III.

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all rights, advantages and immunities of citizens of the United States, and

être à passer à distance égale entre l'île d'Attou et l'île Copper du groupe d'îlots Kormandorski dans l'océan Pacifique Septentrional jusqu'au méridien de cent quatre-vingt treize degrés de longitude Ouest, de manière à enclaver, dans la Territoire cédé toutes les îles Aléoutes situées à l'est de ce méridien.

#### ARTICLE II.

Dans le Territoire cédé, par l'article précédent à la Souveraineté des États-Unis sont compris le droit de propriété sur tous les terrains et places publics, terres inoccupées, toutes les constructions publiques, fortifications, casernes et autres édifices qui ne sont pas propriété privée individuelle. Il est toutefois entendu et convenu que les églises construites par le Gouvernement Russe sur le Territoire cédé resteront la propriété des membres de l'Église Grecque Orientale résidant dans ce Territoire et appartenant à ce culte. Tous les archives papiers et documents du Gouvernement ayant trait au susdit Territoire et qui y sont maintenant déposés seront placés entre les mains de l'agent des États-Unis; mais les États-Unis fourniront toujours quand il y aura lieu, des copies légalisées de ces documents au Gouvernement Russie, aux officiers ou sujets Russes qui pourront en faire la demande.

#### ARTICLE III.

Il est réservé aux habitants du Territoire cédé le choix de garder leur nationalité et de rentrer en Russie dans l'espace de trois ans; mais s'ils préfèrent rester dans le Territoire cédé ils seront admis, à l'exception toutefois des tribus sauvages à jouir de tous les droits, avantages et immunités des citoyens des États-Unis et ils seront maintenus et protégés dans

shall be maintained and protected in the free enjoyment of their liberty, property and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes in that country.

#### ARTICLE IV.

His Majesty the Emperor of all the Russias shall appoint, with convenient dispatch, an agent or agents for the purpose of formally delivering to a similar agent or agents appointed on behalf of the United States, the territory, dominion, property, dependencies and appurtenances which are ceded above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications without waiting for formal delivery.

#### ARTICLE V.

Immediately after the exchange of the ratifications of this convention, any fortifications or military posts which may be in the ceded territory, shall be delivered to the agent of the United States, and any Russian troops which may be in the territory, shall be withdrawn as soon as may be reasonably and conveniently practicable.

#### ARTICLE VI.

In consideration of the cession aforesaid, the United States agree to pay at the Treasury in Washington, within ten months after the exchange of the ratifications of this convention, to the diplomatic representative or other agent of His Majesty the Emperor of all the Russias, duly authorized to receive the same, seven million two hundred thousand dollars

le plein exercice de leur liberté, droit de propriété et religion. Les tribus sauvages seront assujéties aux lois et règlements que le États-Unis pourront adopter de temps en temps à l'égard des tribus aborigènes de ce pays.

#### ARTICLE IV.

Sa Majesté l'Empereur de toutes les Russies nommera aussitôt que possible un agent ou des agents chargés de remettre formellement à l'agent ou aux agents nommés par les États-Unis, le territoire, la souveraineté, les propriétés, dépendances et appartenances ainsi cédés et de dresser tout autre acte qui sera nécessaire à l'accomplissement de cette transaction. Mais le cession, avec le droit de possession immédiate, doit toutefois être considérée complète et absolue à l'échange des ratifications sans attendre la remise formelle.

#### ARTICLE V.

Immédiatement après l'échange des ratifications de cette convention, les fortifications et les postes militaires qui se trouveront sur le territoire cédé seront remis à l'agent des États-Unis et les troupes Russies qui sont stationnées dans le dit Territoire, seront retirées dans un terme praticable et qui puisse convenir aux deux parties.

#### ARTICLE VI.

In considération de la susdite cession les États-Unis s'engagent à payer à la Trésorerie à Washington, dans le terme de dix mois après l'échange des ratifications de cette convention, sept millions deux cent mille de dollars en or, au Représentant diplomatique ou tout autre agent de Sa Majesté l'Empereur de toutes les Russies dûment autorisé à recevoir cette

in gold. The cession of the territory and dominion herein made is hereby declared to be free and unincumbered by any reservations, privileges, franchises, grants, or possessions, by any associated companies, whether corporate or incorporate, Russian or any other, or by any parties except merely private individual property holders; and the cession hereby made, conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion, and appurtenances thereto.

#### ARTICLE VII.

When this convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington within three months from the date hereof, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at Washington, the thirtieth day of March, in the year of our Lord one thousand eight hundred and sixty-seven.

[L. S.] WILLIAM H. SEWARD.

[L. S.] EDOUARD DE STOECKL.

somme. La cession du territoire avec droit de souveraineté faite par cette convention, est déclarée libre et dégagée de toutes réservations, priviléges, franchises ou des possessions par des compagnies Russes ou tout autre légalement constituées ou autrement ou par des associations sauf simplement les propriétaires possédant des biens privés individuels et la cession ainsi faite transfère tous les droits, franchises et priviléges appartenant actuellement à la Russie dans le dit Territoire et ces dépendances.

#### ARTICLE VII.

Lorsque cette convention aura été dûment ratifiée par Sa Majesté l'Empereur de toutes les Russies d'une part et par le Président des États-Unis avec l'avis et le consentement du Sénat de l'autre, les ratifications en seront échangées à Washington dans le terme de trois mois, à compter du jour de la signature, ou plus tôt si faire se peut.

En foi de quoi les plénipotentiaires respectifs ont signé cette convention et y ont apposé le sceau de leur armes.

Fait à Washington le 18-30 jour de Mars de l'an de Notre Seigneur mil huit cent soixante sept.

[L. S.] EDOUARD DE STOECKL.

[L. S.] WILLIAM H. SEWARD.

## REMARKS UPON THE TREATY OF 1867.

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It is noticed, in comparing this treaty with that of the convention of 1825 between Russia and Great Britain, that the descriptions of the line of demarcation, and the strip of the continental shore bounding the Archipelago Alexander are identical. There is, however, one omission in the English text of the second paragraph of Article I, occurring after the words "Frozen Ocean." There are two minor mistakes in paragraph "2d," of Article I, where "whenever" is used instead of "wherever;" and where "winding" is used for "windings." These and others may be errors of the proof reader of the document from which we have extracted the text.

The same English translations are given to the French words sinuosités, crête, limite and lisière, as in the convention of 1825; and we contend that the same explanation be given to these words that we have already presented.

In further comparison it will be seen that the important Articles V, VI, VII and VIII of the 1825 treaty, have no place or mention in this treaty. In Article VI of this treaty especial force is given to the cession of the territory by unqualifiedly declaring it free of all incumbrances of corporate or incorporate companies; and that all and every of Russia's sovereign rights are given to the United States. Yet there is one point of difference that should be mentioned. In the Convention of 1825, Article VI, it is agreed that the subjects of Great Britain, \* \* \* "jouiront à perpétuité du droit de naviguer librement, et sans entrave quelconque, sur tous les fleuves et rivières, qui, dans leurs cours vers le mer Pacifique, traverseront la ligne de démarcation sur la lisière de la Côte indiquée dans l'Article 3 de la présente Convention."

The published negotiations afford us the following partial history of this grant in perpetuity. In March, 1824, Sir Charles Bagot forwarded to Mr. George Cannon the document entitled "Observations of Russian Plenipotentiaries on Sir C. Bagot's amended Proposal," in which occurs this item: "Les Plénipotentiaries de Sa Majesté Impériale, prévoyant même le cas où, sur la lisière de

la côte qui appartiendroit à la Russie, il se trouveroit des fleuves au moyen desquels les Établissements Anglois pourroient communiquer avec l'Océan, se sont empressés d'offrir, par une stipulation éventuelle, la libre navigation de ces fleuves.”\*

On the 29th of May, 1824, Mr. George Canning, writing to Count Lieven, wanted from Russia “precise and positive stipulations for the free use of all rivers which may be found to empty themselves into the sea within the Russian frontier.”†

On the 12th of July, 1824, Mr. George Canning inclosed a Draft Convention to Sir Charles Bagot, in which the same claim is made in Article III: “3. Que la navigation et le commerce des fleuves du continent traversant cette lisière, seront libres aux sujets Britanniques, tant à ceux habitant ou fréquentant l'intérieur de ce continent, qu'à ceux qui aborderont ces parages du côté de l'Océan Pacifique.”‡

Sir Charles Bagot wrote to Mr. George Canning, August 12th, 1824: “There are three points upon which the differences appear to be almost, if not altogether, irreconcilable. These points are:

“1. As to the opening *for ever* to the commerce of British subjects, of the port of Novo Archangelsk.

“2. As to the liberty to be granted to British subjects to navigate and trade *for ever* along the coast of the *lisière* which it is proposed to cede to Russia, from the Portland Channel, to the 60th degree of north latitude, and the islands adjacent.”§

On the first point the Russians were willing to grant a ten years permission, and might probably renew it, but they would not consent to divest themselves forever of a discretionary power by granting such a power in perpetuity.

On the second point, they were “ready to grant *for ever* the right of ingress and egress into and from whatever rivers may flow from the American continent and fall into the Pacific Ocean within the above described *lisière* but that they can, under no circum-

\* *Fur Seal Arbitration*: Vol. IV, p. 429.

† *Fur Seal Arbitration*: Vol. IV, p. 432.

‡ *Fur Seal Arbitration*: Vol. IV, p. 435.

§ *Fur Seal Arbitration*: Vol. IV, p. 439.

stances, and by no supposed correspondent advantages, be induced to grant to any Power the privilege to navigate and trade in perpetuity within a country the full sovereignty of which was to belong to Russia; that such perpetual concession was repugnant to all national feeling, and was inconsistent with the very idea of sovereignty.” (Page 440.)

The Counter-Draft of the Russian Plenipotentiaries has the following proposition on the same subject in Article III :

“4. Que sur la lisière de la dite côte indiquée en l’Article 11 de la présente Convention comme appartenante à la Russie les sujets de Sa Majesté Britannique jouiront à perpétuité de la libre navigation des fleuves, soit qu’ils habitent l’intérieur du continent, soit qu’ils veulent y arriver de l’Océan Pacifique au moyen de ces mêmes fleuves.”\*

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\* *Fur Seal Arbitration:* Vol. IV, p. 442.



## GEOGRAPHICAL CHARACTER OF CERTAIN PARTS OF THE ARCHIPELAGO ALEXANDER.

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Before presenting the list of maps and charts which have been consulted to indicate the practice adopted by the Russians, French, English, Canadians and Americans, in noting the limits of the lisière, we deem it better to give more explicit explanations of the geographical character of important localities than we have already offered. For this purpose we commence with the continental shore, Dixon Entrance, etc., and make explanatory notes thereon.

### THE CONTINENTAL SHORE.

In the matter of the lisière, the fact must not be overlooked that Vancouver's voyage of discovery and exploration was to determine whether there was any line of deep water communication between the northeast Pacific Ocean and the Atlantic. It had no reference whatever to fur trading.

In 1778, Captain James Cook in his last celebrated voyage had failed to see the entrance to the Columbia River and the Strait of Fuca. He merely touched at Friendly Cove, Nootka Sound, in latitude  $49^{\circ} 35'$  V. I., and did not again close upon the land until he reached Mount Edgecumbe at Sitka Sound in latitude  $57^{\circ} 03'$ . He visited Prince William Sound, Cooks Inlet, and afterwards reached as high as  $70^{\circ}$  in the Arctic.

Doubts were expressed of the sufficiency of his explorations where the Spaniards had found great straits and archipelagoes, and the expedition of 1790 was fitted out under Vancouver, who had been with Cook on his last two voyages. We have already quoted from the records to show that Vancouver was to thoroughly examine the Continental shore of Northwest America. In that hazardous duty his vessels or his boats examined the shores of every bay and inlet that indented the coast, to a satisfactory distance. In some cases his boats were stopped by glaciers at the heads of inlets; and in others bad weather prevented exhaustive examination and observations for geographical positions. Some

arms were not followed out because the high, snow-covered mountains forbade the idea of a continental passage way.

In the Archipelago Alexander, Lieutenant Whidbey's boats met all these difficulties, besides icebergs and hostile natives; and while he did not reach the great arms of Holkham Bay, and did not locate the Stakheen, it is astonishing how much good work was done.

These results, with those of Lieutenant Johnstone, and of Vancouver himself, made possible a chart that became the basis for the convention of 1825 and the treaty of 1867.

In 1799, Governor Baranof transferred the headquarters of the fur hunting and trading parties from Kadiak Island to New Archangel or Sitka in 1799; and it is a reasonable supposition that the Russian traders of the Company during the next twenty years learned of the existence of the Chilkaht River, Taiyá Inlet, Endicott and other penetrating arms, and many small bays and villages. They may have only estimated the length and breadth of the inlets. All such information naturally reached Baranof, who was also well aware that the American and British fur traders had sold firearms, powder and spirituous liquors to the natives, and were making serious inroads into the trade of the Russian American Company. It is a fair and reasonable inference that the Company suggested to the Government the necessity for securing all the Pacific waters to Russia and her people; and when that advice took form in the shape of the Ukase of 1821 and was withdrawn, the next proceeding was to secure absolute control of the Archipelago Alexander and the contiguous territory.

The Convention of 1825, having the trustworthy charts and narrative of Vancouver, and the advice and twenty years information of the Russian American Company, was in the possession of materials sufficient to declare a governing line of boundary between the Russian and British Possessions of North America.

The published memoranda of the Hudson's Bay Company did not add any information to the subject.

## DIXON ENTRANCE.

We have elsewhere noted the discovery of this large area of water by Perez in 1774, and the various names applied by different authorities.

One of the contentions made about the southern part of the boundary line, is the absence of any mention in the Convention of the distance to be traversed between the southernmost point of Prince of Wales Island and the entrance to Portland Canal.

The negotiators were well aware of these waters, as is shown by Sir Charles Bagot's "Amended Proposal" of March 17, 1824 :\* "en réponse à la proposition faite par les Plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrême méridionale de l'Île du Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme," etc.

The Plenipotentiaries did not know the length of that easterly line; nor could they vouch for the Spanish determination of the three southern points of the Prince of Wales Island, except they believed they were about  $54^{\circ} 40'$ , and the longitude of the southernmost might be between  $131^{\circ}$  and  $133^{\circ}$  of longitude.

The Russians very appropriately named the present Dixon Entrance, "Granitza Strait," *i. e.* "Boundary Strait;" suggestive of the line of the boundary of 1825.

## PRINCE OF WALES ISLAND.

We have quoted from Vancouver's narrative his surmise that there might be channels running through the large island Prince of Wales, but that part of the island which he coasted does not support his view; and even when he added the southwestern and western parts from the Spanish explorers, he properly lays down the whole area as one island. Nevertheless his suspicions of its broken character caused him to name it the "Prince of Wales's Archipelago." In this he was not adhering to the facts as he knew them, but to his suspicions.

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\* *Fur Seal Arbitration.* Volume IV, page 427.

In the negotiations from 1822 to 1825, it would seem that both Governments must have assumed the face of the chart to indicate the whole area of that Archipelago as an island. We do not find in their negotiations that the Plenipotentiaries refer to it as an Archipelago; it is always called the "Prince of Wales Island," or "l'Île du Prince de Galles." Sir George Simpson in 1847 refers to it as "a certain island which the parallel of 56° intersects." The Russian Admiralty Chart No. 10 of the Eastern ocean series, has a dotted channel through the southwestern part; and Tebenkof's chart No. 9 of 1849 has a similarly marked channel, probably to indicate some report of the Russian traders.

#### PORLAND CANAL.

One of the points of contention relates wholly to this long and important Inlet, Channel or Canal. Elsewhere we have traced its history, name and geography; and in our remarks upon Dixon Entrance, we have shown that the Plenipotentiaries of both countries knew it from Vancouver's charts and its narrative, and that they fully understood the relation of its entrance or embouchure to the southernmost point of Prince of Wales Island. It had been surveyed by the Spaniards; entered by an English fur trader with three vessels who advised Vancouver of its existence; surveyed by Vancouver; examined to its head by Vancouver personally, and his two ships had entered and left it.

It is a three miles wide opening with bold approaches and deep water, and not an obscure strait like the Pearse Inlet of to-day, which is hidden by a number of islands north of Point Wales, and was condemned by Vancouver.

The Plenipotentiaries did not adhere to Vancouver's name, which on the chart is Portland Canal, and that to the upper part only. The engraver could not well do otherwise. The text of the convention names it PORTLAND CHANNEL, and the first application of that name we can find is its use by the Russian Plenipotentiaries in their observations on Sir Charles Bagot's "Amended Proposal" of March 17, 1824, paragraphs 1 and 2. The 1st paragraph commences, "Toute la partie de la côte située entre l'embouchure

du Portland Channel et le 51<sup>e</sup> degré de latitude nord," etc.\*

We have called attention to the fact that Mr. Findlay, F. R. G. S., who wrote the Directory of the Pacific Coast in 1851, reckoned that Portland Canal terminated at Cape Fox, the southern point of the Continental shore in latitude 54° 46'. That would place the entrance between Cape Fox and Point Maskelyne, which is fifteen miles to the eastsoutheast, and would subordinate all the intricacies of the Tongass and other channels to the master channel, Portland Inlet.

Another point of contention about Portland Canal is that it does not reach the 56th degree of latitude. That is a question of a few miles that later surveys have shown to exist if deep water is reckoned as the head of this and all other inlets or sinuosities. We have shown that Vancouver estimated the latitude he has given upon his chart; bad weather prevented observations; and the strong currents would affect his judgment as to distances sailed.

Whatever the latitude reached by that canal, Great Britain had and has her rights to the east of the line through the thread of the channel way.

The Russian Plenipotentiaries in their observations on Sir Charles Bagot's "Amended Proposal" (already quoted) say, \* \* \* "le Portland Channel, dont l'origine dans les terres est par le 56<sup>e</sup> degré de latitude nord."

Count Nesselrode in his letter of April 17, 1823, to Count Lieven wrote: "Afin de ne pas couper l'Île du Prince de Galles, qui selon cet arrangement devoit rester à la Russie, nous proposons de porter la frontière meridionale de nos domaines au 54° 40' de latitude et de la faire aboutir sur le Continent au Portland Canal, dont l'embouchure dans l'Océan est à la hauteur de l'Île du Prince de Galles et l'origine dans les terres entre le 55° et 56° de latitude."†

Both Governments had accepted that condition and therefore conveyed it into the Convention. The shores of the upper part of Portland Canal were part of the Continental shore, and the relation

\* *Fur Seal Arbitration*: Vol. IV, p. 428.

† *Fur Seal Arbitration*: Vol. IV, p. 399. Judge Glass has accidentally given the year as 1824; see his paper, page 554.

of its entrance to the southern point of Prince of Wales Island was again announced.

The latest hydrographic and topographic detailed surveys of the United States Coast and Geodetic survey, show that the deep water of the Channel reaches latitude  $55^{\circ} 55'$ ; that the cañon-like continuation, reduced to one-half its former width, reaches latitude  $56^{\circ} 02'$  and is filled with detritus through which the Bear River empties into the Canal.

Mr. R. E. Gosnell, Librarian of the Legislative Assembly of British Columbia and Secretary of the Bureau of Statistics, says, in his Year Book of 1897: Up to 1872 "the question had not been raised as to the Portland Canal. The latter was practically accepted by both parties as the proper boundary." (Page 96.) And "up to 1885 it does not appear that a line through 'Portland Channel' was ever questioned. The issue was raised by the late Mr. Justice Gray of Victoria, B. C." (Page 97.)

Any further contention upon this point is simply querulous.

#### "LA CRÈTE DES MONTAGNES."

One of the points at issue is the crest-line, water-parting or crête of the mountains surrounding the Archipelago Alexander from Portland Canal to the northward and westward, which mountains according to Article III of the Convention of 1825 are assumed to run parallel to the coast; and in Article IV, their relation thereto is further explained.

We have shown from Vancouver's charts that he laid down, by conventional or arbitrary signs, a chain of mountains from California to his northernmost work in Cooks Inlet. The navigator and the geographer making a reconnaissance of the coast, and unfurnished by modern means and methods, would do the same. The mountains are there, and they afford peaks that are the landfalls of the navigator. Sometimes they are close upon the shore, as the "Twin Peaks" in latitude  $35^{\circ} 51'$  where one of them rises to 5,100 feet elevation in two and three-quarter miles from the shore; or the range may break down as abreast of Bodega Bay, or on the Oregon and Washington coast, where the more distant

mountains are visible. These coast mountains may be a single line, or there may be two, three, or even four parallel ridges, forming what is known, on this coast, as the "Coast Range."

Vancouver was using the method which had been followed by Captain James Cook in the same region as shown on his charts. Vancouver had been with Cook on his last two voyages to the Pacific, and the same method has been followed by English, Russian, French and American geographers and navigators. For examples see chart of San Francisco Bay by Capt. F. W. Beechey, R. N., in 1826; the Strait of Juan de Fuca by Capt. Henry Kellett, R. N., 1847, chart No. 1911; Haro and Rossario Straits by Capt. G. H. Richards, R. N., 1858-9, chart No. 2689; Cape Caution to Port Simpson by Daniel Pender, Navigating Lieutenant, R. N., 1867; French chart of the west coast of America, No. 1769, San Diego to latitude  $53\frac{1}{2}$ °; No. 1997, San Diego to Gulf of Tehuantepec, 1863, both published "par ordre de l'Empereur." To these add the reconnaissance of the Coast of California and Oregon by the United States Coast Survey in 1850-53; and the latter reconnaissance of the Coast of Lower California in 1874. The Russian charts by Tebenkof show similar conventional signs for mountain chains or ranges; so do the charts in the Atlas of Duflot de Mofras, 1844.

Another contention in relation to the mountains of the text of the Convention is that it does not mention any chain of mountains; that is true as to the specific term, yet if we examine the correspondence of the Plenipotentiaries, we learn they used the term, as if they recognized what Vancouver had depicted. The criticism by the Russian Plenipotentiaries of Sir Charles Bagot's "Amended Proposal," says\*: "Tout le territoire situé derrière la chaîne de montagnes dont il a été question ci-dessus, jusqu'au point d'intersection du 139<sup>e</sup> degré de longitude, méridien de Greenwich." And Count Lieven in his memorandum on the North West Coast Convention contends (page 438,) that in fixing a boundary by "une chaîne de montagnes" it is always the "*cime*" of the mountains which forms the line of demarcation. Mr. George

\* *Fur Seal Arbitration*: Volume IV, page 429.

Canning had been contending for the "seaward base" of the mountains, lest the crest-line of the Rocky Mountains might be claimed. That is the only time in which we find the word "cime" used; it has a different and more restricted application than the word "crête."

The boundary was to be the "crête" of these mountains if the range should prove to be less than ten marine leagues from the sinuosities of the coast or continental shore. We have already insisted that the English translation of the word "crête" by "summit" is unsatisfactory unless we place a meaning thereto different from what its plural would imply. Mr. George Canning in his letter of July 24, 1824, to Sir Charles Bagot, said that "no great inconvenience can arise from your Excellency \* \* \* consenting to substitute the summit of the mountains instead of the seaward base," etc.\* We submit that the "summit" of the mountains conveys an idea of continuity in the chain of mountains; the "summits" might be isolated and prominent peaks not necessarily in the crest-line. This term crest-line is the best translation of the French term "crête," as we have already stated.

Judge Glass, in his paper before referred to,† misquotes the English translation of the text of the Convention. He says, "the facts are that the treaty makers knew there were no mountain ranges, and therefore the treaty directs that the line shall follow 'the summits of the mountains situated parallel to the coast.'" Three paragraphs before that quotation, he refers twice to "summits;" and later he says he personally "saw them there in September, 1898, just as they were in 1825." He perhaps thought it was very unfortunate that Vancouver did not locate the "Devils Thumb" and "Kates Needles" of the surveys of 1894-5.

The assertion which Judge Glass makes that "the treaty makers knew that there were no mountain ranges," is not borne out by Vancouver's chart, which has one continuous and well marked range. We add another quotation on this point: In the "Observations of Russian Plenipotentiaries of Sir C. Bagot's amended Proposal" part of paragraph six reads, "le Portland

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\* *Fur Seal Arbitration*: Vol. IV, page 437.

† *Anglo-American Magazine*, December, 1899, page 551, last paragraph.

Channel, dont l'origine dans les terres est par le 56<sup>e</sup> degré de latitude nord, et, à l'est, la chaîne de montagnes, qui soit à une très petite distance les sinuosités de la côte." (Page 428.)

#### THE SINUOSITIES OF THE COAST.

One of the chief points of attack upon the Convention of 1825 has been the decree that the boundary line between the British possessions and the lisière of the coast, shall be formed by a line parallel to the sinuosities of the coast. The English translation of the French word "sinuosités" in the text, is "windings," which is not an equivalent, nor is it applicable. We have shown by English authority from Cook to the present time, that the English word sinuosity is used by navigators and geographers.

The word has been considered so important in this question that Dr. George M. Dawson in his letter of February 7, 1888,\* has misquoted the expression in the Convention: "sera formée par une ligne parallèle aux sinuosités de la Côte," and presents an altogether different statement "cera formée une ligne parallèle à la côte." The Convention language was too clear and too expressive, and it was necessary to sink it.

Vancouver's charts had laid down deep inlets in the continental shore from the Strait of Fuca to Lynn Canal; and in the years from 1799 when Baranof made Sitka the center of trade activity to the years of the Convention discussion, the traders and explorers of the Russian American Company must have learned more of the inlets of the Archipelago Alexander than the charts presented. It was Baranof's avowed policy to beat all the trading companies of other nations in that region, and along the whole coast; and the information of the Russian Company influenced the Russian Plenipotentiaries to exclude all foreign traffic from and through the lisière by means of the deep inlets or sinuosities. In the Convention British subjects were granted the right of freely navigating the streams and rivers; but they were not granted any right to use the inlets or sinuosities for crossing the lisière. They were also given liberty to frequent all the seas, gulfs, havens and creeks of

\* Senate Ex. Doc. No. 146, 50th Congress, 2d Session. March 2, 1889. Page 5.

the Archipelago for the purpose of trade with the natives for a period of ten years. Nearly all the arms, inlets or sinuosities would have presented insuperable barriers in the high, ice-clad mountains to reach the interior; there were no practicable routes, save by the White, Chilkoot and Chilkaht Passes.

It has been developed by the recent surveys that from some of Vancouver's bays on this part of the continental shore, long and deep arms penetrate for miles beyond what his boats had reached; and the value of the term "sinuosities," thus becomes more important to the United States.

These canals, inlets or sinuosities form part of the continental shore, even to their heads. Mr. George Canning, the Secretary of the Foreign Office, has admitted that the coast reaches to the head of Portland Canal. In his letter of July 12, 1824, to Sir Charles Bagot, he inclosed a "Draft Convention," wherein we find at page 435, Article II, this expression: \* "la ligne de la frontière, entre les possessions Britanniques et Russes, remontera, au nord, par la passe dite le Portland Channel, jusqu'à ce qu'elle touche à la côte de la terre ferme située au 56<sup>e</sup> degré de latitude nord. De ce point elle suivra cette côte, parallèlement à ses sinuosités," etc. In the English translation of this text he first uses the word "windings."

Four months before this Draft Convention was introduced, the Russians had proposed a line of demarcation to follow the sinuosities, without any accompanying English translation.

The Counter-Draft by the Russian Plenipotentiaries submitted to Sir Charles Bagot, March 17, 1824, proposed the line of demarcation from the southern point of Prince of Wales Island through Portland Canal to its head, and then, "De ce point, la limite remonteroit le long de ces montagnes parallèlement aux sinuosités de la côte," † etc.

If the shore of the continent reaches the head of that canal, we submit it reaches the heads of all other inlets as Endicott, Taku and Taiyá, and Glacier and Yakutat Bays.

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\* *Fur Seal Arbitration*: Volume IV, page 434 *et seq.*

† *Fur Seal Arbitration*: Vol. IV, page 427. Paragraph five.

That Draft Convention and the Counter-Draft of the Russian Plenipotentiaries were the bases of the terms of the Convention.

#### THE LISIÈRE OR BORDER OF THE COAST.

On March 17 (29) 1824, the Russian Plenipotentiaries made known to the Emperor of all the Russias the last propositions which Sir Charles Bagot had presented to them for the location of the line of demarcation between the British and Russian Possessions.

The Emperor carefully examined and considered them and declared they could not be accepted, whereupon the "Final Decision of Russian Plenipotentiaries" was communicated to the British Plenipotentiaries.

From that decision we make the following extracts :\*

"L'Empereur charge ses Plénipotentiaires de déclarer itérativement à M. l'Ambassadeur d'Angleterre :

"Que la possession de l'Île du Prince de Galles, sans une portion de territoire sur la côte située vis-à-vis de cette île, ne pourroit être d'aucune utilité à la Russie.

"Que tout Établissement formé sur la dite île, ou sur celles qui l'environnent, se trouverait en quelque sorte tourné par les Établissements Anglois de la terre ferme, et complètement à la merci de ces derniers. \* \* \*

"Qu'enfin, quant à la navigation des fleuves, la Russie croyait avoir offert à la Grande-Bretagne tous les avantages et toutes concessions que celle-ci peut désirer." \* \* \*

That declaration was explicit, and after much discussion between the Plenipotentiaries of the two Powers, led to the adoption of the lisière of the Convention of 1825.

We present some of the features of the controversy, and the later contentions of Canadian authorities against the integrity of this vital border of the continental shore of the Archipelago Alexander.

On the 12th of July, 1824, Mr. George Canning instructed Sir

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\* *Fur Seal Arbitration* : Vol. IV, page 430.

Charles Bagot there were then only "two points which are left to be settled."

The principal one was "fixing the course of the eastern boundary of the strip of land to be occupied by Russia on the coast;" and his expressed anxiety was lest the line of demarcation should be carried too far inland, if the mountains were inaccurately laid down; he was afraid they might be farther inland than Vancouver represented them.

That this lisière was the crux of the question is evidenced by the facts of its being the last point to be settled; that Sir Charles Bagot was replaced by Mr. Stratford Canning; and that the convention was not signed for more than seven months. It was intended to bar out the Hudson's Bay Company from free access from the interior to the ocean waters of the Archipelago Alexander. The Russians would not yield, and when they came to so narrow a limit as the ten marine leagues, they guarded their determination by the "sinuosities" of the coast: they were not certain how far inland the inlets might reach.

Although the language of the French text is plain, we have shown that the English translation is weak and inadmissible. The negotiators stated the condition in concise terms, based upon the presentations of Vancouver's charts. The Russian, British and American traders evidently understood it even in its English dress. The United States and Great Britain obtained concession for their fur traders to navigate these waters for fishing and trading with the natives. The Russian American Company, as the authorized representative of the Russian Government, jealously guarded against any infringement by the Hudson's Bay Company, as really occurred in 1834 and 1862.

Sir George Simpson, who was the Governor-in-Chief of the Territories of the Hudson's Bay Company in America, visited the Archipelago in 1841, and in 1847, he unequivocally acknowledged that this lisière "renders the interior comparatively useless to England." From remarks made subsequently to 1825, it is evident that objection had been made in England to the terms of the Convention so effectually excluding Great Britain from that

region; and on page 271, Sir George writes: "In offering this defense of what a mistaken patriotism on the part of English writers is too apt to stigmatize as aggression and intrusion, I have no other object than to do what I believe to be right." (Previously quoted.)

In 1857, Sir George confirmed his judgment before the Select Committee of the House of Commons on the Hudson's Bay Company territories.

The Russian Governor and geographer Tebenkof understood the border as cutting off traffic communication with the interior. Great Britain never challenged the effect of the lisière in deterring her from any right thereto through forty-two years of Russian occupation and dominion; nor after the purchase of Russia's rights; nor did the Dominion of Canada when it sent an official surveyor, Joseph Hunter, to locate a thirty miles provisional limit on the Stakheen in 1877.

The later development of the mineral wealth of the northwest Territory of Canada\* and of Alaska, naturally suggested to the Dominion Government the advantage of a shorter route thereto than by some inland trail through Canadian territory; and the United States began an examination for a route shorter than the Yukon River, or by crossing the lisière via the Chilkoot or Chilkaht Passes into and through Canadian territory. Lieutenants Raymond and Schwatka had, respectively, ascended and descended the Yukon; and Lieutenants Abercrombie and Allen had essayed the Copper River for an all American route. British Columbia established her Custom House on the Stakheen, which had never been utilized by the Hudson's Bay Company.

It is the absolute effectiveness of this lisière and its relation to the sinuosities or inlets, which has drawn so many opinions of the best methods to evade its impregnable standing in the Treaty. One of these opinions is that of Hon. David Glass, Q. C., etc., (page 553 of his paper). He asserts the whole of the British contention is, "that the *lisière* does not go inland around the tops of canals,

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\*January 1st, 1903, the reported gold production of the Klondike district since 1897 is over \$79,000,000.

but is confined to the mainland opposite the islands." (We overlook the non-geographical term "tops of canals.")

Later on, (page 561,) he writes, "I find no authority for the statement that any admitted line, either by Russia or England, or of any maps having their sanction carrying the *lisière* around Lynn Canal, or any other canal; on the contrary, all the correspondence and information lead to the opposite conclusion." In the next paragraph he discredits Sir George Simpson in that "anything he may have said in his trip around the world, or that of any officer of the Russian-American Company might have said, would, indeed, be of small value." He then quotes from Sir George's testimony before the Select Committee of Parliament, 1857: "It appears that the Russian-American Company and the Hudson Bay Company began quarreling over the strip of territory, and for the sake of peace, as Sir George said, the latter Company made a lease of part of the *lisière*."

Sir George was asked this question in that investigation:

"Besides your own territory I believe you administer a portion of the territory which belongs to Russia, under some arrangement with the Russian-American Company?"

Answer: "There is a margin of coast, marked yellow in the map, from fifty-four degrees and forty minutes up to Cross Sound, which we have rented from the Russian-American Company for a term of years."

Concerning this we contend that all the claims of Great Britain to reach the head of Lynn Canal through Cross Sound, and through Chatham Strait were abandoned by the British Ambassador, Sir Charles Bagot; and that even the claims to reach the Continent through Clarence Sound were abandoned as we have elsewhere shown.

In his paper, Judge Glass does not offer any proof that all the correspondence and information of the Plenipotentiaries lead to the *lisière* not going around Lynn Canal or any other canal. The Russian Plenipotentiaries, with unyielding pertinacity, claimed the *lisière* and the conditions depending upon its adoption. In

their Counter-Draft of March, 1824,\* they reiterate the claim to follow the mountains parallel to the sinuosities of the coast after leaving Portland Canal, and say: "Le motif principal qui force la Russie à insister sur la souveraineté de la lisière indiquée plus haut sur la terre ferme depuis le Portland Canal jusqu'au point d'intersection du 60° avec le 139° de longitude, c'est que, privée de ce territoire, la Compagnie Russo-Américaine n'auroit aucun moyen de soutenir les Établissements qui seroient dès lors sans point d'appui, et qui ne pourroient avoir aucune solidité."

Later on, May 29, 1824, Mr. George Canning writes to Count Lieven,† the Russian Ambassador at London, that "Sir Charles Bagot's discretion will be so far enlarged as to enable him to admit, with certain qualifications, the term last proposed by the Russian Government.

"The qualifications will consist chiefly in a more definite description of the limit to which the strip of land required by Russia on the continent is to be restricted; in the selection of a somewhat more western degree of longitude as the boundary to the northward of Mount Elias; in precise and positive stipulations for the free use of all rivers which may be formed to empty themselves into the sea within the Russian frontier, and of all seas, straits, and waters which the limits assigned to Russia may comprehend."

Articles III and IV of the Convention define the character of the lisière; Article VI gives the subjects of Great Britain the right of navigating freely all streams and rivers that cross this lisière; and Article VII gives, for ten years, the vessels of the two powers the liberty to frequent all the Seas, Gulfs, Havens and Creeks of the Archipelago for the purposes of fishing and trading with the natives.

The difference between the rivers and streams that cross the lisière, and the seas, gulfs, etc., of the Archipelago, is marked. The inference seems unquestionable that no inlet, strait, bay or sinuosity was to cross the lisière.

In the next place, Judge Glass is compelled to discredit Sir

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\* *Fur Seal Arbitration.* Vol. IV, page 427.

† *Fur Seal Arbitration.* Vol. IV, page 432.

George Simpson's statements about this border in his "Journey round the World," by saying they are of "small value." The narrative of that journey was not written hurriedly. Sir George's line of exploration was remarkable; his daring, his treatment of hostile natives, his sufferings, his success in overcoming every form and occasion of difficulty reach to heroism, without a suggestion of self praise. Before publishing it, he studied Vancouver's narrative and charts, because he refers to the latter, and uses his names of places. The journey was made in 1841-2; it was not published until 1847. Moreover, Sir George was the Governor-in-Chief of the Territories of the Hudson's Bay Company in America, and we know that the Hudson's Bay Company had been the adviser of the Government of Great Britain as unreservedly confessed by Mr. George Canning. In his letter of April 24th, 1824, to Ambassador Sir Charles Bagot, Mr. Canning says: "I have referred the whole question of this negotiation anew to the governors of the Hudson's Bay Company, whose report I expect shortly to receive."\* This is a remarkable admission.

And of the Governors of that Company, Alexander Begg, Q. C., says: "The responsible position which Governor Simpson so long occupied required special qualifications, and these he possessed in an eminent degree. He was a man of consummate tact and address, and at once set about healing up old wounds, reconciling discordant interests, and removing old prejudices and jealousies from amongst the people and former employés. He was the first Hudson Bay governor who fulfilled, on behalf of the Company, that duty imposed, as a condition, by the charter—the task of exploration and geographical discovery."†

We submit that the small estimate which Judge Glass has expressed of such an authority must be swept aside.

Again, Judge Glass misreads the question and the answer before the Select Committee of Parliament, which we have quoted from his paper. The question of the Chairman was: "I think you made an arrangement with the Company by which you hold under

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\**Fur Seal Arbitration*: Vol. IV, page 431.

†*History of British Columbia*, 1894. Page 113.

a lease a portion of their territory?" To which Sir George answered "Yes." In later explanations the lisière was described as drawn and colored on the map before the Committee, and Sir George declared that the strip of land was a barrier to passage inland by the Hudson's Bay Company, which restraint they wished removed; and failing that, they rented the "margin of 30 miles of the coast belonging to the Russians" for a term of years. That was the border, the margin, the lisière, which in 1847 he declared had rendered the "interior comparatively useless to England." The map which he presented to the Select Committee is known to us as that of 1857, and we believe that it was based upon the Admiralty chart No. 2461 of 1856-65. That Parliamentary map, by its special coloring, gives to Russia every island of the Archipelago Alexander, and a ten marine leagues lisière from Portland Inlet of the Admiralty chart No. 2458 of 1900, around the Taku Inlet and the head of Lynn Canal to Mount Saint Elias. The reproduction of a small part of it is shown in the *National Geographic Magazine* of November, 1899, to illustrate the paper by Hon. John W. Foster, and to illustrate Mr. T. W. Balch's papers of 1902 and 1903 on the Alaska Frontier. The Admiralty chart clearly lays down the thirty miles boundary and fortifies it with an explanatory legend.

Another attack upon the lisière is that of Dr. Dawson and Mr. R. E. Gosnell, that the outer coast bordering directly upon the Pacific is the coast of the Treaty; hence the lisière must extend through the Archipelago, parallel with that outer coast. This need not be criticised.

In his letter of February 7th, 1888,\* Dr. Dawson addressed Sir Charles Tupper on the subject of inlets, the lisière, etc., and wrote, "As far as non-mountainous country may extend but within 10 marine leagues of the ocean, the inlets are in fact included by the convention within *la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie*.

"On the other hand, so much of these inlets as happen to be in mountainous territory, or beyond the 10 marine leagues from the

\* Senate Ex. Doc. No. 146, 50th Congress, 2d Session, Mar. 2, 1889. Page 6.

ocean, together with the dry land about them, is assigned to Great Britain as much as are rivers and lakes in the same regions."

There is nothing whatever in the convention to warrant the assumption made in the second paragraph. The *lisière* embraces all the inlets or sinuosities without regard to where the crête or crest-line may be. The expression sinuosities preserved the border of the coast to Russia, and intentionally hindered the Hudson's Bay Company pushing its posts and establishments to the ocean waters across this coast-strip. The continental shore followed the bays and inlets, or it did not. It has been admitted by the negotiators that the head of Portland Inlet "abuts" against the coast, therefore the shores of that inlet are part of the continental shore.

On the 17th of March, 1824, Sir Charles Bagot wrote to Mr. George Canning that he inclosed the Counter-Draft of the Russian Plenipotentiaries, in which we discover they proposed to run the boundary from the two points of Prince of Wales Island to the head of Portland Canal, and "de ce point, la limite remonteroit le long de ces montagnes parallèlement aux sinuosités de la côte, jusqu'à la longitude du 139<sup>e</sup> degré, etc."\* The Ambassador had previously proposed that by giving to Russia the 55th degree of latitude as her boundary upon the islands, we "might preserve also uninterrupted our access to the Pacific Ocean, and secure to His Majesty the 56th degree of north latitude as the British boundary upon the coast." (Page 425.)

In July, 1824, Mr. George Canning proposed that the utmost extent of the strip should be conceded to ten leagues and if possible "a still more narrow limitation." (Page 433.)

Again, Sir Charles Bagot in his letter of August 12th, 1824, to Mr. George Canning wrote: "The Russian Plenipotentiaries declare that they are ready to grant to His Majesty's subjects for ten years, but for no longer period, the liberty to navigate and trade along the coast of the *lisière* proposed to be ceded to Russia, from the Portland Channel to the 60th degree of North latitude and the islands adjacent."†

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\* *Fur Seal Arbitration*. Volume IV, page 427; then 425.

† *Fur Seal Arbitration*. Volume IV, page 440.

Mr. George Canning had demanded the "free use of all rivers which may be found to empty themselves into the sea within the Russian frontier; and then among the islands and straits." The Russians acceded to this, "and they are ready to grant *for ever* the right of ingress and egress into and from whatever rivers may flow from the American continent and fall into the Pacific Ocean within the above described lisière," etc. (Pages 432 and 440.)

The latest letter of Mr. George Canning that we find is addressed to Mr. Stratford Canning, who replaced Sir Charles Bagot as Ambassador, and dated December 8, 1824, or two and one-half months before the Convention was signed. He says:

"The Russian Plenipotentiaries propose to withdraw entirely the limit of the *lisière* on the coast which they were themselves the first to propose, viz., the summit of the mountains which run parallel to the coast, and which appear, according to the Map, to follow all its sinuosities, and to substitute generally that which we only suggested as a corrective of their first proposition.

"We cannot agree to this change." Then Mr. Canning insists that the mountains were "the most natural and effective boundary;" but if the mountains were erroneously laid down, Great Britain "might be assigning immense tracts of inland territory, where we only intended to give, and they only intended to ask, a strip of sea coast."\*

Sir Charles Bagot had entered upon the negotiations with the hope of obtaining the whole of the Archipelago Alexander. He failed, and his successor, Mr. Stratford Canning, concluded the negotiations by Great Britain not obtaining a permanent foothold along the continental shore from Portland Inlet to Mt. St. Elias.

Since 1885, all attacks to break through this lisière of the Convention of 1825 have been mainly, in fact solely, to obtain a port of ingress into British Columbia from the Archipelago. The attacks have come from the Dominion of Canada, and not from the Government of Great Britain.

The claims of Canada cut off all the sinuosities, and the great channel of Lynn Canal. The most astonishing of them all is that

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\* *Fur Seal Arbitration*: Volume IV, page 447.

of Sir Charles Hibbert Tupper, R.C.M.G., Q.C., M.P.:\* "It is along this boundary [141st meridian,] that the discoveries of extensive and valuable placer gold mines have been found; and it is to this field the United States are permitted to hold the present ports of ingress and egress, Dyea and Skagway, both in British territory."

It is not possible to strain and contort the Convention of 1825 or the Treaty of 1867 to cover such exaggerated demands. Sir Charles asserts that Great Britain makes these claims; so far as we have learned, they are made solely and wholly by Canada.

Russia guarded the border land with vigilance, and Great Britain respected her treaty rights. The Hudson's Bay Company was the aggressor; Great Britain, through the *Devastation* incident asked permission that was granted.

The Government of Russia, through the authorized Russian American Company, repelled the attempt to establish a post in the Archipelago in 1834; the Hudson's Bay Company had established a trading post in Observatory Inlet, and in 1834 established Fort Simpson at the east entrance to Portland Inlet. In 1841, Sir George Simpson visited the Russian Governor at Sitka, and in 1847 and 1857 he admitted the coast-strip was useless to the English. Articles III and IV of the Convention and their counterparts in the Treaty of 1867, could not have described the mutual understanding of the two Powers of the Convention more clearly and explicitly.

Sir Charles Bagot hoped to grasp the Archipelago Alexander; Russia resisted and retained it; she never yielded the lisière around the Archipelago and thence to Mt. St. Elias, although she yielded in the breadth of the border and in the western meridian. Both Powers were keenly aware that the lisière was intended to control the sinuosities of the continental shore, and ten marine leagues beyond their heads if the country was low as indicated on the charts of Vancouver. Russia gave the subjects of Great Britain the right to navigate the streams and rivers that crossed the lisière, (which they never exercised) but as the lisière extended beyond the sinuosities, the right to cross it through these inlets was not granted.

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\* *The Alaska Question*, "British Columbia Mining Record," Christmas 1899, page 3.

## RUSSIAN, FRENCH AND ENGLISH CHARTS AND MAPS, 1802 TO 1899.

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In searching through charts that are here available, or the reproductions that have appeared in publications of writers of ability, we are naturally led to inquire what chart or map has been published wherein the boundary line in dispute has been laid down by special authority of any government, in strict conformity to the specifications of the Treaties of 1825 and 1867, so far as the geography of the Alaska coast was then known.

We have had such a chart in our possession from 1867. It is "Sheet No. 3" of the British Admiralty Chart "No. 2461," "published at the Admiralty, Oct. 1st, 1856, under the superintendence of Captain Washington, R.N., F.R.S., Hydrographer," with "corrections in 1861, '62, '64 and March '65." At the bottom it is entitled "Cook River to Gulf of California." There is also a map presented in evidence to the Select Committee of the House of Commons in 1857 by Sir George Simpson, the Governor-in-Chief of the Territories of the Hudson's Bay Company, in the investigations instituted by that committee.

These are esteemed as having Governmental authority. We describe the chart and map elsewhere, and also refer to Sir George's description of the *lisière* as laid down on the map.

Captain Tebenkof is authority for saying that up to the year 1826, the best information the government had from its officers was that published in the atlases of Sarichef and of Krusenstern; and that during his first service in the Russian American Company, from 1825 to 1833, he learned the lack of materials for improving the charts, and began to obtain information from special surveys and reconnaissances in the Company's archives; and to search the log books. He published a memorandum thereof in 1833. Upon his appointment as Governor of the Colonies in 1845, he determined to assemble all available data, and published his large atlas of thirty-nine charts in 1852. The basework of the charts of the Northwest Coast of America from the Arctic to Cape San Lucas

was the charts and narratives of Captain James Cook, 1778, and Captain George Vancouver, 1792-4. (See the preface to his "Hydrographic Notes," 1852.)

It is therefore apparent that any information of the physical characteristics of the Archipelago Alexander must be referred to the earlier charts and narratives.

We propose to give a brief sketch of some of the charts and maps which have reference to the boundary line of the Convention of 1825, and they will be presented in three series: (1) Russian, French, English, Scotch, Early Canadian; (2) Canadian; (3) American.

#### RUSSIAN, FRENCH AND ENGLISH CHARTS.

1802: We elsewhere describe this map.

1827: The Imperial Russian chart prepared by Rear Admiral Krusenstern, St. Petersburg. This chart shows the boundary from the head of Portland Canal to Mt. St. Elias, ten marine leagues from the coast line. See Mr. T. W. Balch's reduction, 1902, page 19.

1829: The Russian chart of the Northwest coast prepared at St. Petersburg by Piadischeff at the Dépôt Typographique Militaire. A bold boundary line runs from the southwest point of Prince of Wales Archipelago, up Portland Inlet, and from the head thereof to Mt. St. Elias, at about ten marine leagues from the coast. See Mr. T. W. Balch's reduction, 1902, page 21.

1831: Canadian map, prepared by the Deputy Surveyor General of Lower Canada. The boundary line is probably taken from the Krusenstern chart. See Mr. T. W. Balch's reduction, 1902, page 23.

1832: The Arrowsmith map compiled from documents of the Hudson's Bay Company. It carries a double dotted line from the head of Portland Canal to Mt. St. Elias, and it bears a strong resemblance in width to that of the Russian chart of 1829. It has a third dotted line commencing at the head of Taku Inlet and following closely around the head of Lynn Canal, with no explanation. See Mr. Foster's map in *National Geographic Magazine*, November, 1899.

1844-1893: Russian "Chart of the Frozen Sea and the Eastern Ocean, compiled from the latest authorities, at the Hydrographic Department of the Ministry of the Marine, 1844. [Note.] Compiled from the most recent Russian and latest Foreign charts, and the engraving renewed in 1893." Seal of the Hydrographic Department. Corrections to Aids to Navigation to 1898. Mercator projection.

This chart is one of a series published about the same date, and is numbered "1345, General Chart." The sheet is 35 inches by 24. It exhibits the Russian Possessions on the Asiatic side as far west as  $240^{\circ}$  from Greenwich, and south to  $35^{\circ}$  of latitude. It therefore includes Japan, the Kuril Islands, the Aleutian Islands, and the main coast of North America from Point Barrow in  $71\frac{1}{2}^{\circ}$  to the south of Point Pinos. It thus includes the old Russian posts at Bodega Bay and Fort Ross.

It is notable in several aspects. West of Bering Strait is the name "Asia" upon the continent, and east of the strait is the name "America," with no mention of Alaska or Canada. Certain additions have been made upon the chart since the Treaty of 1867; for example, to the westward of the 141st meridian is the legend, "Former Russian Territory;" through Bering Strait and Bering Sea a dotted, broken line is laid down as the "Boundary between Russia and the North American States extended by the Treaty of 1867;" and on the 141st meridian is the third legend, "Former boundary between Russia and Great Britain accepted conformably to the Treaty of 1825."

The use of the qualifying word "former" in two of the above cases is to be noted as being the understanding of the Russian Government as to her rights held intact between 1825 and 1867.

The Archipelago Alexander is evidently based upon the chart of Vancouver; with the additions from other sources which exhibit the Chilkah, Chilkoot and Taku Rivers, and the Stakheen; and on other parts of the coast are inserted the Kuskokwim' and Yukon Rivers; and the shore line along the Arctic Ocean to longitude  $115^{\circ}$ .

The boundary line around the lisière is laid down from the head of Portland Canal at a distance of ten marine leagues from the

continental shore; at the Taku Inlet it is twenty-five miles from the head, and twenty miles beyond the head of Lynn Canal. On the ocean front beyond Cape Spencer, the line is nearly forty miles inland; and passes beyond the head of Bering Bay (Yakutat) at twenty-eight miles. It does not reach Mt. St. Elias, but when within ten miles it swings nearly ten miles north of it, and then runs along the 141st meridian to the shore of the Arctic.

1844: The French map of 1844. "Carte de la Côte de l'Amérique sur l'Océan Pacifique Septentrional comprenant le Territoire de l'Oregon, les Californies, la Mer Vermeille, Partie des Territoires de la Compagnie de la Baie d'Hudson, et de l'Amérique Russe. Dressée par Mr. Duflot de Mofras, Attaché à la Légation de France à Mexico; pour servir à l'intelligence de son Voyage d'exploration. Publié par Ordre du Roi \* \* \* Paris, 1844."

This map extends from latitude 17° to latitude 60°, and from longitude 102° to longitude 143° west of Paris. The scale is twenty-five leagues to one inch. Special attention has been given to the Russian territory and the adjacent British territory by coloring and explicit legends.

In the northwest region two boundaries are laid down. The first starts from "C. Chacon ou Galles," runs through the northern limit of the "Entrée de Pérez en 1774," (Dixon Entrance) and continues along the parallel of the cape to the Rocky Mountains. This boundary line is designated "Traité entre la Russie et les États-Unis du 17 Avril 1824."

The second boundary line begins at the head of the "Canal de Portland" and follows the general trend of the coast and around the heads of the inlets or "sinuosités," at an average distance of seven and a half leagues. After heading Lynn Canal it swings southwestwardly to Mt. Fairweather, and thence around the head of Yakutat Bay at the distance of seven and a half leagues, from which it reaches Mt. St. Elias. The legend along this boundary line is "Traité entre la Russie et l'Angleterre du 28 Février 1825." That part of "Amérique Russe" is colored green; and the adjacent territory of "Amérique Anglaise," red.

It should be noticed that M. de Mofras names "C. Chacon ou

Galles," evidently without paying special attention to Vancouver's chart and narrative concerning Point Wales.

A third boundary line is laid down from seaward, and extends eastnortheastwardly to Cape Spencer, thence northwardly to meet the lisière line at Mont du Beautemps (Fairweather). In the area east and northeast of this line, and west of Lynn Canal, is the legend, "Convention Comm<sup>ciale</sup> de 1838 entre l'Angleterre et la Russie."

1847: In Sir George Simpson's "Narrative of a Journey round the World in 1841-2," published in 1847, there is a map of his itinerary across the continent through the Hudson's Bay Company territory to the Pacific. He lays down the boundary line similarly to that on Krusenstern's chart. We have elsewhere quoted his remarks about the thirty miles strip, and have there given the title of his book.

1848-9: We have quoted Tebenkof as the author of an Atlas of the coasts of the North Pacific, Bering Sea and the Arctic. On his general chart he lays down the boundary line from the head of Portland Canal to Mt. St. Elias; but the scale of the chart is small, and the line follows as near as may be the thirty miles limit. On his detailed charts he rarely reaches inland thirty miles, and no boundary line is introduced wherever he reaches that far. In another place we note what he says of this border. The title page of his atlas gives the year 1852, but the individual charts have the dates 1848 and 1849.

1850: In 1850, Dr. C. Grewingk published at St. Petersburg his orography and geology of the northwest coast of America and the adjacent islands. His map, on a small scale, has the boundary line laid down simply to indicate its general relation to the coast from the head of Portland to Mt. St. Elias.

1853: There is an Admiralty chart of that date which exhibits the thirty miles border commencing at the entrance to Portland. We have no copy at hand, but it is referred to by Dr. George M. Dawson, of the Geological Survey of Canada, in his letter of February 7th, 1888, page 7 of U. S. Senate Ex. Doc. No. 146, 50th Congress, 2d Session, wherein he says: "The line has been

erroneously shown on many maps as running south of these islands ['Wales and Pierce,'] along part of the Observatory Inlet of Vancouver. \* \* \* This first occurred in the Admiralty chart published in 1853." Dr. Dawson evidently refers to the Observatory Inlet of Vancouver's Narrative, Vol. II, page 375, and not to the chart. We have elsewhere explained the discrepancy.

1856: The Admiralty chart No. 2461, (Sheet 3,) was published at the Admiralty office Oct. 1, 1856, and was continued with additions and corrections to 1865. It was constructed under the direction of Captain Washington, R.N., F.R.S., Hydrographer to the Admiralty. The boundary line is designated thereon as "Boundary between the British and Russian Territory," and commences at the head of Portland Canal; keeps thirty miles inside of the northern part of Behm Canal, forty-five miles inside the mouth of the Stakheen, thirty miles from the head of the Taku Inlet, over thirty miles beyond the head of Chilkaht Inlet, then runs southward and westward to near Mt. Fairweather, twenty miles from the coast, passes thirty miles inside the head of Yakutat Bay, is discontinued in approaching Mt. St. Elias, and is renewed west and north of that mountain, and then runs northward along the meridian of 141° west. This chart exhibits the 49th parallel boundary, and the Mexican boundary.

We esteem this the most important of the later charts, not excepting that of 1857. It is drawn to include all the "sinuosités" of the continental shore, as then shown on any chart.

1856: The "General Atlas of the World" by Adam and Charles Black, Edinburgh, 1856, contains seventy-four maps. Map XLV, North America, although on a small scale, lays down the boundary line between British North America and the Russian Territory. This line is marked and the area of each territory differently colored. It starts from the head of Portland Canal (not named), goes around the head of Lynn Canal at a distance of thirty miles, and thence to Mt. St. Elias and northward. This map discharges the "R. Youcon" into the Arctic.

1857: Map of the Hudson's Bay Company, "ordered by the House of Commons to be printed 31 July and 11 August,

1857." This map was produced to be used in the examination which was conducted by the "Special Committee" to learn the status of the territories of that Company, and its relations with other Companies.

The boundary line is indicated by a broken line which starts from the head of Portland Canal, follows the "sinuosités" of Taku Inlet and the heads of Lynn Canal, bends south and west to Mt. Fairweather at thirty miles from the coast, approaches the head of Yakutat Bay within about twenty-five miles, is discontinued as it approaches Mt. St. Elias, and is renewed west and north of that mountain, and then runs north. It follows the "sinuosités" closer than the French map of 1844, but not so close as those of the Admiralty chart No. 2461 of 1856. The strip of thirty miles width and the whole of the Archipelago Alexander are colored yellow. This map was acknowledged as authority by Sir George Simpson in his testimony before the Select Committee of the House of Commons, 1857. We believe this map was based upon the conditions of the latter chart (No. 2461). It is shown in Mr. T. W. Balch's papers of 1902 and 1903, and in Hon. John W. Foster's paper, 1899.

1857: There is a Canadian map of 1857 referred to under the list of maps of that Dominion.

1859-76: British Admiralty chart No. 2683, of the Pacific Ocean; the scale is quite small, and the chart is referred to because of the dates. The lisière is clearly laid down around the Archipelago. It is in the official catalogue of the charts, plans and sailing directions of the Lords Commissioners of the Admiralty, December 31st, 1899. A copy is in the possession of Mr. Louis Weule, San Francisco.

1861: "Chart of Russian Possessions on the Coasts of the Eastern Sea, 1861." (Translation.) We have a photograph copy of the eastern half of the sheet extending from longitude 165° east to 125° west. It is on Mercator's projection, and the extent of latitude from 55° to 60° equals two and five-eighths inches. On this chart Cape Muzon is named Kaigani, and the Dixon Entrance is

Kaigani Strait.\* The boundary line leaves the head of Portland Canal and continues towards the northwest, passing thirty miles inside the head of Burrough Canal, Bradfield Canal and the mouth of the Stakheen. It passes around the heads of Taku and Taiyá Inlets at a distance of about twenty miles, and thence around Yakutat Bay to Mt. St. Elias, where it runs north on the meridian of 141 degrees. On this straight line is the legend, "Boundary between Russia and Great Britain in accordance with the Treaty of 1825." (Translation.)

1877: British Admiralty chart No. 787, published June 21st, 1877, under the superintendence of Capt. F. J. Evans, R.N., Hydrographer, etc., with corrections to August, 1901. See Mr. T. W. Balch's paper of 1903, page 104. The boundary line begins at the head of Portland Canal, crosses the Skoot River (southern tributary of the Stakheen) at forty miles in a direct line from the mouth of the Stakheen, and crosses the latter stream at thirty miles in a straight line from the north entrance. It then passes the head of Taku Inlet at thirty miles, swings sharply southsouthwest to Mt. Crillon, thirty miles inside the Malaspina ice barrier at the head of Yakutat Bay, and thence towards Mt. St. Elias, but does not touch it. The general curving of the boundary line is that of the Admiralty chart No. 2461 of 1856.

1865-1888: The British Admiralty chart No. 2431, with corrections to 1888 has an addition thereto at the southeast part of the chart entitled "Portland and Observatory Inlets from Staff Commr. Pender's Survey, 1868." It will be noticed on this chart that the British Survey is not extended north and west of the entrance to Portland Inlet; and that the survey through the large inlets is tentative only, as no deep soundings have been taken; all soundings marked 40 fms. "no bottom."

1894: A "Physical Sketch Map of Alaska," by the *Scottish Geographical Magazine*, Edinburgh, August, 1894. The boundary line starts from Cape Muzon, follows Portland Channel to the

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\* *Coast Pilot of Alaska, U. S. Coast Survey*, Washington, 1869, by George Davidson: "Cape Ky-gah'-ne" (to sketch page 90,) as obtained from the natives.

head, and then continues at a distance of thirty miles from the heads of all the inlets including Taiyá and Chilkaht. Authority, J. G. Bartholmew, the well-known geographer of the Edinburgh Geographical Institute.

Mr. William Ogilvie, Ex-Governor of the Northwest Territory of Canada, has furnished a map to the above Society, showing the boundary line. See memorandum under the Canadian maps, 1898.

1899: "The World-Wide Atlas of Modern Geography, political and physical, containing one hundred and twenty-eight plates and complete index, with an introduction by J. Scott Keltie, LL.D., etc. Fourth Edition. W. and A. K. Johnston, Edinburgh and London, 1899."

Map No. 104 shows part of the northwest coast of America from the Strait de Fuca to the head of Lynn Canal. By color and a dotted line the boundary runs through Clarence Strait and Behm Canal to latitude 56°; thence in a slightly curved line around and close to the heads of all the inlets to Taku Inlet, which it cuts in two and crosses Lynn Canal south of Pt. Bridget.

Fortunately the old boundary line of a former edition has not been effectively erased, and can be traced from the head of Portland Canal around the Archipelago at a distance of thirty miles inland, and around Taku and Taiyá Inlets at the same distance. There is no mention in the text to indicate the cause of the change, except a remark that the Dominion of Canada had been extending its surveys. This map should fittingly be placed among the Canadian Maps.

1896-1900. British Admiralty chart No. 2458, with corrections to Mar. 1900. The title is "North America—West Coast, Alaska. Port Simpson to Port McArthur, including the inner channels and Prince of Wales Island, from the latest United States and British Surveys." The northern limit of the sheet is 56° 12'.

This chart appears to be based largely upon the Chart No. 8100 of the U. S. Coast and Geodetic Survey, with the title, "Clarence Strait, Revillagigedo Channel and Portland Canal, S. E. Alaska."

It was published in 1899, but first appeared in 1891. The latest aids to navigation reach Mar. 1902.

The scale of this British Chart is two-thirds that of the United States Chart, or four and one-quarter nautical miles to one inch. The shore line is quite effectively brought out by conventional contouring to connect the mountain peaks determined by triangulation; and by the gray tinting of the land surface. This makes the lines of canals, straits and bays appear more in accordance with the natural aspect.

The name Portland Canal is given to the northern part of that great arm, and Portland Inlet to the southern and wider part. The Pearse Canal, which received the condemnation of Vancouver, is shown to be only one-quarter of a mile wide at its narrowest part; and the name is placed on Pearse Island. No name is given to the crooked continuation of Pearse Canal between Wales Island and Fillmore Island, and between Wales Island and Sitklan Island. The dangers to navigation therein are more emphasized than in the U. S. Coast Survey chart. The soundings are taken from the latter authority.

It is instructive to note the great disproportion in breadth and depth of that dangerous passage way, and the breadth and depth of the Portland Inlet and Canal.

## REMARKS UPON THE BRITISH, RUSSIAN, FRENCH AND SCOTTISH MAPS AND CHARTS.

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The Russian, French, English, Scottish, and the early Canadian maps and charts, from 1827 to 1894, agree with uniform consistency in laying down, with more or less accuracy, the ten leagues border around the Archipelago Alexander. The Admiralty Chart No. 2461 of 1856-65, is to be especially noted because there has been an evident desire to delineate the Convention boundary, "par une ligne parallèle aux sinuosités de la Côte, et qui ne pourra jamais en être éloignée que de dix lieues marines." [Convention of 1825, Article IV.] And the map of 1857, prepared by the Hudson's Bay Company under the direction of Sir George Simpson, for the Special Committee of the House of Commons, is evidently based upon that of 1856. They certainly had no better authority available. The Admiralty Chart of 1877 with additions and corrections to 1894, is of the same character. The Scotch map of 1894 is by one of the best geographers in Great Britain. The French map of 1844 was gotten up by order of the King of France, and is in line with the British maps and charts. The Russian Admiralty charts of 1848, with notes by Tebenkof, and of 1861, are by official authority, and exhibit their understanding of the terms of the Convention of 1825. The official Canadian map of 1831 clearly intends to conform to the Treaty in its thirty miles border.

We have placed in this list the map of the World-Wide Atlas of Johnston of Edinburgh, because the original boundary line followed the usual course of the thirty miles wide border; the newer line is certainly from Canadian authorities.

The British Admiralty chart No. 2458, of 1896-1900 is principally based upon the topographic and hydrographic surveys of the United States, as exhibited on the Coast Survey chart No. 8100 of 1899. It presents on a good scale the relations of Portland Inlet and Canal, Observatory Inlet, and the narrow, dangerous passage ways leading from Dixon Entrance to Pearse Canal. It needs no explanation; it tells its own story.

## THE CANADIAN MAPS AND CHARTS:

1831 TO 1898.

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This is quite a long list, but it is considered essential to note the chronological change of sentiment by Canadian authorities.

1831: Hon. J. W. Foster in the *Nat. Geog. Magazine*, Nov., 1899, gives a reduced copy of part of an official Canadian map, "compiled from the latest and most approved astronomical observations and recent surveys \* \* \* by the Deputy Surveyor General of the Province of Lower Canada, May 2, 1831;" published in London. There is evidently no attempt to fulfill with precision the directions of the Convention of 1825, but the general idea of a border or coast-strip is carried out. Portland Inlet is designated Observatory Inlet; there is no Portland Canal or Inlet so named. The boundary line leaves the head of Portland Canal and keeps at an average distance of sixty miles inside the Continental shore and approaches thereto only when reaching Mt. St. Elias.

1857: There is another Canadian map of 1857, compiled by the Provincial Land Surveyor and Draftsman by order of the Commission of Crown Lands. Toronto, March, 1857. The boundary line runs from the head of Portland Canal around Taiyá Inlet, towards Mt. Fairweather (unnamed) and thence to Mt. St. Elias. A conventional range of mountains is laid down to the east of this line. The map is of no value except to show that the boundary was recognized around all the arms and inlets from which it is placed about fifty miles. See Mr. Foster's reduced copy.

1871: "Map of British Columbia to the 56th parallel, compiled at the Lands and Works Office Victoria B. C. 1871." The boundary line starts from the north point of Pearse Island through Portland Canal to the head and thence northwestwardly to near latitude 57°, (edge of the map). It is marked "Russian Boundary 1827." This is the only case we find of the boundary starting from Pearse Island, which island is not mentioned in the Convention, or in the correspondence of the negotiators, or in Vancouver.

1877: "Plan of Stachine (Stikine) River by J. Hunter \* \* \* Sessional Papers, Vol. XI, No. 11, 1878." That is the notice in Dr. Dawson's Report B of 1887, page 47 and page 63.

This survey of 1877 was undertaken because "the Stikine came prominently into public notice in connection with difficulties respecting territorial jurisdiction which occurred in regard to customs and other matters. \* \* \* This map shows the provisional boundary line adopted without prejudice until the true line shall have been determined." (Page 64.)

It is well to remember that the discovery of gold on the Stakheen in 1861, led to the visit of Her Majesty's sloop of war *Devastation* in 1862, and the visit of the Russian corvette *Rynda* in 1863. Dr. Dawson says, page 62, that "a Hudson Bay post was established on the east side of the river [left bank,] in 1862 or 1863, and maintained until 1874, when it was moved to the vicinity of Glenora," farther up the river. Gold was discovered in the Cassiar region to the northeast of the Stakheen in 1872; Dr. Dawson says 1873.

We find further notice of this survey in the Year Book of British Columbia, as follows: "In 1877, Mr. Joseph Hunter, Civil Engineer, Victoria, was delegated by the Dominion Government to make a survey of the Stikine River for the purpose of defining the boundary line where it crosses that river. Of course his report was not expected to be final, and the work was necessarily hurried, but it was important, and settled the matter for the time being. He fixed the boundary line at 19.13 miles from the coast at right angles, and 24.74 miles by the river."<sup>\*</sup>

The information conveyed by this survey, so far as it relates to the Stakheen, is given in the description of the map of 1888.

1884: "No. 14 Official Canadian Map of British Columbia, 1884." In Senate Ex. Doc. No. 146, 50th Congress, 2d Session, 1889. The boundary line starts from Cape Chacon, ascends Duke

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\* *The Year Book of British Columbia and Manual of Provincial Information* to which is added a Chapter containing much special information respecting the Canadian Yukon and Northern Territory generally. By R. E. Gosnell, Librarian, Legislative Assembly and Secretary Bureau Statistics. Victoria, B. C., 1897.

of Clarence Strait to the west entrance of Behm Canal, follows this to the head of Burrough Bay to latitude 56°. It then passes to northwest and before reaching the Stakheen it is within eight miles of the coast, and crosses that river at twenty miles from its mouth. Then by a long regular curve it passes the head of Taku Inlet at ten miles on the east, and thirty miles on the north; it sweeps in a curve around the head of the Taiyá Inlet at thirty miles distance, and continues irregularly to Mt. St. Elias.

One feature is noticeable; it crosses no navigable water except the Stakheen.

1887: "Department of the Interior. Map of the Dominion of Canada corrected to January, 1887." "Projection on oblique secant cylinder." Small scale of 95 miles to one inch. The boundary line commences at Cape Chacon and runs through Clarence Strait to Behm Canal and Burrough Bay to latitude 56°. It then swings in sharply toward the coast, crosses Bradfield Canal, the Stakheen near its mouth and the Taku Inlet half-way to its head; then turns and crosses Lynn Canal from Pt. Bridget, and runs southwest across Glacier Bay inside of Pt. Gustavus; and close around Yakutat Bay. Pt. Bridget is fifty miles south of the head of Taiyá Inlet.

1887: On the Canadian Map of 1887, by Dr. George M. Dawson, Asst. Director Geological Survey of Canada, and inserted in U. S. Senate Ex. Doc. No. 146, 50th Congress, 2d Session, as No. 15, there is no sign of a boundary line and no mention of it in the notes, but Pearse Canal (unnamed) is made to appear as the lower part of "Portland Canal or Channel," and Portland Inlet is designated "Observatory Inlet," which term is repeated at the Observatory Inlet of Vancouver's chart.

1887: This is a copy of the Canadian map just referred to with three boundary lines laid down. The most easterly runs from the head of "Portland Canal or Channel," the lower part of which is Pearse Inlet, unnamed and drawn more than half the width of "Portland Inlet." The legend on this line is "Line approximately as shown on U. S. Coast Survey Map of Alaska, 1884. N. B.

this line disregards both the Treaty reference to mountains and that to the Ocean Coast." No mountains are shown upon this map and the great arms or inlets of Snettisham and Holkham Bays are not indicated.

The western or most southerly boundary line makes the following courses: It starts from Cape Chacon, follows Clarence Strait to the western entrance to Behm Canal and thence to and beyond the head of Burrough Bay to latitude  $56^{\circ} 04'$ , where it is met by another boundary line coming from the deep water head of Portland Canal. From the intersection of these two lines, a single line swings sharply to the southwest, then north to cut off one-half of Bradfield Canal, crosses the Stakheen about ten miles above its mouth, follows the general trend of the coast within six miles, crosses the Taku Inlet five miles from its entrance, crosses Lynn Canal at Pt. Bridget, and Glacier Bay at its entrance, and continues thence along the peaks of the Fairweather and St. Elias ranges to Mt. St. Elias. At the northwest, it carries the legend "Lines here follow St. Elias Alps." From Taku Inlet southwardly, the legend is "Line approximately following summit of mountains parallel to the Coast," but no mountains are laid down. This line is known as General Cameron's. The third line is "Conventional Line No. 1." It starts from Portland Canal in latitude  $55^{\circ} 51'$ , and of course south of the deep water at the head in  $55^{\circ} 55'$ . It runs in a straight line to the Stakheen, another straight line carries it to latitude  $59^{\circ} 12'$ , and thence west to intersect Cameron's line.

In this stretch from the Stakheen, it would cross both arms of Holkham Bay, and part of the Taku Inlet near its head. It takes in the whole of Taiyá and Chilkaht Inlets, and Pyramid Harbor and the salmon canneries.

This map and the preceding have added the name "Prince of Wales Archipelago" to the "Prince of Wales Island," so that the boundary shall start from Cape Chacon.

1888: "Map of a portion of the Yukon District, N. W. Territory with the adjacent northern part of British Columbia, to

accompany the Report of George M. Dawson, D. S., F.G.S., etc. 1888. Sheet 1."

On the Stakheen, we note the following:

(1) "Old Custom Ho. Canadian;" on the right bank three miles above the mouth of the Iskoot River, and thirty-five miles from Pt. Rothsay at the southern mouth of the Stakheen.\*

(2) "Hunter's Survey post ten marine leagues inland at right angles to general trend of coast. 53.99 miles from Rothsay Pt. 1887."

(3) "Temporary Customs Limit pending determination of Treaty Boundary, J. Hunter, 1877." A line is drawn nine miles westwardly from Mt. Whipple (6200') which lies on the southeast side of the river; then six miles N. by W. across the river to an unnamed mountain of 3863 feet. Where the line crosses the river the distance to Rothsay Pt. is twenty-four miles. (See Map of year 1877 and page 63B, Part B, Dawson's Annual Report of 1887.)

1888: "Index Map of the Yukon District, N. W. T., the Northern portion of British Columbia, and adjacent regions to accompany report of George M. Dawson, D.S., F.G.S., etc., 1888." In this map there is no boundary laid down, but from Mt. St. Elias to Bradfield Canal is the legend "Boundary of Alaska Coast-strip under Anglo-Russian Convention (1825) not yet located;" but the clear intention is that the boundary follows the line of his legend. It cuts off the head of Yakutat Bay, nearly all of Glacier Bay, crosses Lynn Canal ten miles south of Berners Bay, crosses Taku Inlet half way between the entrance and head, and keeps close to the shore to reach Bradfield Canal.

This map evidently has the same origin and authority as that mentioned under 1887. It is found in Dr. Dawson's Annual Report, Part B, 1887.

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\* This "Custom House (Brit.)" is shown on sketch of the Stakheen in "Report upon the Customs District, Public Service, and Resources of Alaska Territory by William Gouverneur Morris, Special Agent of the Treasury Department, Washington: Government Printing Office, 1879."

1888-1889: "Index Map" in the "Report on an Exploration of the Yukon and Mackenzie Basins, N. W. T., by B. G. McConnell, B. A." "Part D. Annual Report, Vol. IV, 1888-89, of the Geological and Natural History Survey of Canada. \* \* \* Published by Authority of Parliament."

This map includes part of the Pacific Coast from west of Mt. St. Elias to Juneau. Along the outer coast from that mountain, at an average distance of twenty statute miles inland, there runs the legend, ending at the middle of the west shore of Glacier Bay, "Boundary of Alaska Coast Strip under Anglo-Russian Convention (1825), not yet located." We find no reference to it in the one hundred and sixty-three pages of the report.

1893: "Map of the Northern coast part of British Columbia. Compiled by Direction of the Honourable F. G. Vernon, Chief Commissioner of Lands and Works. Victoria, B. C., 1893."

This map reaches to latitude 56°. It shows the boundary line from Cape Chacon through Clarence Strait, Behm Canal and Burrough Bay to latitude 56°. The legend on this line is "International Boundary by convention between Great Britain and Russia 1825."

1894: "Map of the Canadian Pacific Railway." This map accompanies the History of British Columbia by Alexander Begg, Toronto, 1894. It reaches to a little north of 56° on the northwest coast and starts the boundary line from the head of Portland Canal.

1895: "Map of the Province of British Columbia, compiled by Direction of the Honourable G. B. Martin, Chief Commissioner of Lands and Works. Victoria, B. C., 1895. Compiled and drawn in the Department of Lands and Works by Gotfred Jorgensen, C.E." On this map a new range of mountains is laid down from the head of Burrough Bay, latitude 56° to Berners Bay, and thence across Lynn Canal, and down to and across Glacier Bay.

The boundary line starts from Cape Chacon, follows Clarence Strait and Behm Canal to latitude 56°; thence keeps close upon the coast line to and beyond Berners Bay when it crosses Lynn Canal and Glacier Bay. In its course it passes the head of Bradfield

Canal, crosses the Stakheen about seven miles south of the "Old Can. Cust. Ho.," crosses the Tracy Arm of Holkham Bay, the head of Snettisham Bay, the Taku Inlet at its middle length, the Lynn Canal from Pt. Bridget, thence to near Pt. Gustavus and crosses Glacier Bay near its entrance, and thence along its mountains to Yakutat Bay where the map ends.

This map is deceptive in the fact that all the Kotusk Mountains at the head of Lynn Canal are "washed out," and a broad area embracing the water-parting north of Lynn Canal is represented as a plain. The truth is the passes across the crest-line rise to three thousand feet, and the mountains to over seven thousand feet. Compare this region with the Yukon Map, Sheet No. 1 of 1898. This boundary line would throw fifty miles of the Lynn Canal and the inlets at its head into British Columbia, and also Glacier Bay and its glaciers.

1897: "Map of the Canadian Yukon and Northern Territory of British Columbia. Compiled and engraved for the Year Book of British Columbia; entered according to Act of Parliament of Canada in the year 1897, by the Province Publishing Company Ltd., Lty., at the Department of Agriculture." It has a boundary line designated "boundary claimed by the United States," from the head of Portland Canal and about thirty miles inland. The map reaches northward from latitude  $55\frac{1}{2}^{\circ}$ , so the Canadian boundary line is seen to leave the southern point of the west part of the Behm Canal close under the shore, then up Clarence Strait and Ernest Sound to the mainland at  $56^{\circ}$  on Seward Passage, and then overlooks the whole shore line at an average distance from two to five miles. It thus crosses Bradfield Canal, the Stakheen near its mouth, Conte Bay, Thomas Bay, Port Houghton, Hobart Bay, Holkham Bay at its two points of entrance, (thereby taking in the copper mines,) Snettisham Bay near its entrance, Taku Inlet five miles above the entrance, crosses to the opposite shore and south to Point Salisbury, then across Gastineau Channel to Douglas Island and takes in half of the island east and west, (thus appropriating the town of Juneau and the Treadwell gold mines,) leaves the western point for the main shore to the north, follows that shore to

Point Bridget, then crosses Lynn Canal, cuts off nearly all of Glacier Bay and finally cuts off ten miles of the head of Yakutat Bay.

This is the most remarkable and preposterous of all the Canadian claims.

1897: "The Yukon River and its Tributaries." June 18, Office of the Department of the Interior, Ottawa.

This small map is placed in the pamphlet of sixty-five pages of interesting matter, entitled "Information Respecting the Yukon District from the reports of Wm. Ogilvie, Dominion Land Survey, and from other Sources. Department of the Interior. Ottawa."

The legend "British Columbia" stretches from near Yakutat Bay across Lynn Canal and around the head of Taku Inlet, well inland at the Stakheen, and ends near the Nasse River. On the main coast from Yakutat Bay to Glacier Bay is the legend "undefined boundary."

1898: In the year 1898 the Department of the Interior of the Dominion of Canada, issued through the office of the Surveyor General, a series of ten or more maps of the surveys which had been made by the parties of that Department a few years earlier. No attempt has been made to delineate the boundary line thereon, but several points of interest are exhibited.

"Yukon Map, Sheet No. 1. Surveyor-General's Office, Department of the Interior, Ottawa, June, 1898. Chilcoot and White Passes." The topography is shown by shading and sketched contours. The heights of the mountains are given in figures. Scale, six miles to one inch.

This sheet represents the mountains of the Kotusk Range at the head of Taiyá Inlet, some of the peaks of which rise more than seven thousand feet above the sea. It shows the summit passes of the White and Chilkoot trails through this range, with their heights. The fair character of this sheet should be compared with the mutilated Map of the Province of British Columbia, published at Victoria in 1895, already mentioned.

1898: "Yukon Map, Sheet No. 3, Surveyor-General's Office, Department of the Interior, Ottawa, March, 1898." Same general characteristics as Nos. 1 and 2.

On the Stakheen there is a broken line laid down with the legend, "Provisional Boundary Agreement of February, 1878." This boundary crosses the Stakheen at the mouth of the Kahtate River about twenty-six statute miles above Pt. Rothsay at the south entrance of the river, and about ten statute miles below and south of the "Old Custom House." The legend "British Columbia" passes diagonally through the middle of the map from northwest to southeast, but there is no name to indicate any part as being in the territory of the United States.

1898: "Yukon Map, Sheet No. 2. Surveyor-General's Office, Department of the Interior, Ottawa, March, 1898." Same general characteristics as No. 1. This map covers Prince of Wales Island without indication of a direct survey, which was not necessary. It follows the continental shore from Pt. Highland near Port Houghton to Sullivan Island in Lynn Canal. It lays down no boundary line, but the legend "British Columbia" is given in the northeast angle of the map at a distance of only twenty statute miles from the head of Taku Inlet. Through Prince of Wales Island is the legend "Alaska."

1898: "Yukon Map, Sheet No. 5. Surveyor-General's Office, Department of the Interior, Ottawa, March, 1898." This map has the same topographical characteristics as earlier numbers.

It exhibits the region from Pt. Seduction in Lynn Canal to embrace Lake Labarge north of 61° of latitude. It delineates part of Lynn Canal, Taiyá and Chilkahkt Inlets and follows the Chilkahkt River to its head at the parting of the waters, about fifty-five statute miles in a straight line from deep water at the head of the inlet. The White Pass (Skagway) and the Chilkoot Pass are given their approximate elevations. The map has two legends upon it,—on the upper part "Yukon District," on the lower part, "British Columbia," just north of the Chilkoot Pass. There is no appearance of Alaska on it.

1898: "Yukon Map, Sheet No. 4. Surveyor-General's Office, Department of the Interior. Ottawa, March, 1898." The topographical characteristics are similar to earlier numbers of the series.

This map embraces the coast of the Pacific from Dry Bay (Allsegħ' River) to a little west of Yakutat Bay. The head of this bay is laid down and the connection therewith of Disenchantment Bay. Some peaks of the St. Elias range are located, but not Mt. St. Elias. On this chart there is an east and west boundary line laid down on the parallel of 60° that ends in the relatively low mountains around the head of Yakutat Bay at thirteen statute miles from the nearest shore thereof, and if continued would cut off part of the bay and throw it into Canadian territory. On this map, at the north, is the legend "Yukon District," at the south of the line mentioned, "British Columbia," and near the seaboard, clear of all the mountains, crossing Yakutat Bay and ending at Dry Bay, "Alaska."

1898: "Map of the Northwestern part of the Dominion of Canada. Preliminary Edition. Surveyor-General's Office, Department of the Interior. Ottawa, 1898."

No boundary line is laid down on this map, simply the legend "Undefined boundary."

1898: "Map of Western Part of Dominion of Canada." This map accompanied a paper by Wm. Ogilvie of the Survey of Canada in the *Scottish Geographical Magazine*, 1898. The boundary line leaves the head of Portland Canal, and passes along the water-parting of the Chickamin and Unuk Rivers and the south fork of the Stakheen, thirty miles from the mouth of the Stakheen, forty-five from the head of Taku Inlet, thirty miles from the heads of Taiyá and Chilkahlt Inlets, does not approach Mt. Fairweather, and passes about sixteen miles around the head of Yakutat Bay and thence to Mt. St. Elias. This is the first map to recognize a water-parting. See the Map No. 10 in Mr. Foster's paper in *Nat. Geographic Magazine*, November, 1899.

1898: "General Map of the Northwestern part of the Dominion

of Canada," compiled from many sources enumerated to 1895 and 1897, and "other authentic documents." \* \* \* "Published by Authority of the Hon. Clifford Sifton, Q.C., M.P., Minister of the Interior. December, 1898." The scale is thirty-five statute miles to one inch.

This is a large map, and extends from latitude 54° to beyond the mouth of the Mackenzie. There is no indication of the boundary line. On the parallel of 60°, the west end of the boundary line between British Columbia and the Yukon Territory, is laid down close to the head of Yakutat Bay, and across the Stakheen there is a dotted, short, red line with the legend "Provisional Boundary Agreement of 1878."

The name Alaska is on the main body of the Territory, but east of Mt. St. Elias the name is on the mainland and on the islands immediately bordering the outer coast. There is no name along the continental shore of the Archipelago Alexander. All the region of the mountain ranges around and north of the Archipelago is marked "Unexplored."

1901: "Map of the Dominion of Canada, Department of the Interior. Honourable Clifford Sifton, Minister, James A. Smart, Deputy Minister, 1901. James White, F.R.G.S., Geographer." Scale 100 statute miles to one inch.

On this map Canada is colored, the United States is not colored. No boundary line is drawn around the Archipelago Alexander, but the coloring marks the outline of the coast-strip. This line of coloring goes northward through Clarence Strait and part of Behm Canal to the entrance of Bell Arm, where it turns to the north through Bailey Bay to latitude 56°. It crosses Bradfield Canal, the Stakheen near its mouth, cuts all the inlets to Holkham Bay, which it crosses at its mouth, Snettisham Bay at its mouth, crosses Lynn Canal near Berners Bay, cuts off half of Glacier Bay, and includes Disenchantment Bay and the head of Yakutat Bay.

On a second copy that is uncolored, there is no intimation of any boundary line.

## REMARKS UPON THE CANADIAN MAPS.

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The Canadian maps have gone through a curious and suggestive series of transformations in their exhibition of the southeastern boundary, from that of 1831, which (without claims to precision) drew the lisière around the Archipelago Alexander, to the extravagant British Columbia map of 1895, where the boundary line passes through Clarence Strait, cuts off the heads of most of the inlets, and appropriates fifty nautical miles of Lynn Canal and Taiyá Inlet, and forty miles of Glacier Bay.

The map of 1857 begins at the head of Portland Canal, and the border or coast-strip is recognized around the Archipelago. That of 1871 begins the boundary at the northern extremity of Pearse Island, which is not referred to in the Treaty. In 1877, the line of demarcation was admitted in the location of a provisional boundary across the Stakheen as a Canadian Customs station. In 1884, the official map starts the boundary from Cape Chacon, (twenty-three miles east of Cape Muzon, the southernmost point of Prince of Wales Island,) and thence up the Clarence Strait. The line is irregularly laid down, but it crosses no navigable inlets. The two charts of 1887, as exhibited in Senate Ex. Doc. No. 146, 50th Congress, 2d Session, show that the change of location of the boundary had received official authority. Portland Channel of the Treaty was abandoned and the southeastern part of the Archipelago claimed as Canadian Territory. The great arms of Holkham Bay were included; Taku Inlet, Lynn Canal and Glacier Bay were appropriated. Even under the plea of a "Continental line" part of Lynn Canal was seized above latitude  $59^{\circ} 12'$ .

Later on the boundary line is not inserted on the maps, but a legend follows its wished for course. In 1895 the British Columbia authorities "washed out" the Kotusk Mountains at the head of Taiyá Inlet. This was an unusual and unwarranted attempt to mislead. It was, however, surpassed in the map of 1897, when the copper mines of Holkham Bay and the Treadwell gold mines of Douglas Island were drawn into Canadian Territory. There

could be no greater disregard to the text of the Convention and Treaty than this. Then other maps omitted the boundary line and inserted a note of "undefined boundary." The series of maps of 1898 issued by the Dominion of Canada, dependent upon Canadian and American surveys, remain content generally to give prominence to "British Columbia" and put "Alaska" in the background or even omit the name. They do not lay down the line at the water-parting of the Kotusk Mountains.

The Scotch Canadian map was drawn to illustrate a paper presented to the Royal Scottish Geographical Society in 1898 by William Ogilvie, who had made some of the surveys around the northern part of the Archipelago, and who had been Land Commissioner at Dawson. This is the first Canadian authority that recognizes the water-parting or crest-line immediately northwest of the Portland Canal.

The third map of 1898 largely ignores Alaska, and the mountain region is noted as "unexplored."

The colored map of 1901 claims the entrance at Clarence Strait, and makes a new departure to the northward at the Bell Arm of Behm Canal. It then crosses all the bays and inlets, and more than one-half of Lynn Canal and Glacier Bay. The uncolored map, which is from the same plate as the above, affords no sign of a boundary line.

In the list of English maps we have inserted Johnston's World-Wide Atlas of 1899. The original boundary line of thirty miles inland has been partly obliterated, and the latest Canadian claims accepted by a new line.

All through the discussion the efforts of the Canadian authorities have been to avoid the easterly line of the boundary from Cape Muzon to the entrance to Portland Inlet, and they have forgotten that the Russian charts quoted had named Dixon Entrance, Granitza Strait; which means Boundary Strait. We prefer to submit to the Russian charts and the understanding of the Russian Plenipotentiaries in that matter.

## THE AMERICAN CHARTS; 1867 TO 1901.

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1867: In this year the United States Coast Survey issued two or more editions of a map of Alaska. We have at hand the second edition of May, 1867. It is colored and entitled "North Western America showing the territory ceded by Russia to the United States compiled for the Department of State. At the U. S. Coast Survey Office, B. Peirce, Supt., 1867." The scale is nearly 70 geographical miles to one inch. The U. S. Coast Survey was a Bureau of the Treasury Department.\*

There was no other material available than what we have described to that date, and from certain peculiarities in the course of the boundary line, and from evidence elsewhere adduced, we judge that it was based upon the Admiralty chart No. 2461 of 1856.

1869: The U. S. Coast Survey chart of Alaska of 1869, (see Superintendent's Annual Report of 1867,) has some interior matter added, but nothing to affect the location of the boundary line, which starts from the head of Portland Canal and runs, without attempt at precision in locating the thirty miles limit, around the Archipelago and thence to Mt. St. Elias, and the 141st meridian.

1884: The map of "Alaska and adjoining Territory, April 1884," No. 360, is used to illustrate the message of the President of the United States transmitting a report of the Secretary of State relative to the frontier line between Alaska and British Columbia, Senate Ex. Doc. No. 143, 49th Congress, 1st Session, May 17th, 1886. This map is "compiled from all accessible data," but the boundary line has not been laid down according to the text of the Treaty of 1867, even with the continental shore as thereon delineated. The Chilkoot Pass is shown, but the boundary is carried beyond that water-parting and very near to the head of Lake Bennett. Around Yakutat Bay it is thirty-five miles from the head, and the range of the "St. Elias Alps" lies between it and the

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\* The original title of this Bureau of the Treasury Department was United States Coast Survey; after 1872, United States Coast and Geodetic Survey.

Pacific. The boundary line begins at Cape Muzon, runs east to the entrance of Portland Canal, and thence to the head.

1890-1895: "General Map of Alaska, T," published by the U. S. Coast and Geodetic Survey. In the edition of 1895, the boundary is laid down from Cape Muzon, through Dixon Entrance to Portland Inlet, and thence to the head of Portland Canal. It does not follow the line prescribed by the Treaty of 1867. It crosses the Stakheen at forty-five miles from its mouth, thirty miles inside the head of Taku Inlet, and thirty miles north of the head of Taiyá Inlet, thereby crossing the headwaters of the Lewes River, a tributary of the Yukon, beyond the water-parting; it does not reach within thirty miles of the coast south of Cape Fairweather, but passes thirty miles inside the head of Yakutat Bay, and just west of Mt. St. Elias. This line is therefore erroneously laid down at the head of Taiyá Inlet and Yakutat Bay.

1898: The four sheet map of "The Territory of Alaska" No. 3091 was published in April of that year by the United States Coast and Geodetic Survey. It is on quite a large scale, sixteen nautical miles to one inch, and the boundary line around the continental shore is laid down at an average distance of thirty miles from all the "sinuosités" except at the Taku Inlet, where the distance is greater. It sweeps around the head of Taiyá and Chilkahlt Inlets at a distance of thirty miles, and therefore crosses the head of Lake Bennett which is north of the water-parting of the Kotusk Mountains. It commences at Cape Muzon, runs a little distance to the southeast and thence east to the entrance of Portland Inlet. The boundary line is erroneously laid down at the head of Taiyá Inlet.

1899: "Map of South Eastern Alaska." In our copy there is no authority or date specified. There are two legends: "Boundary claimed by the United States," and "Boundary claimed by Canada." The scale is 57 statute miles to one inch. It was published in 1899 by the U. S. Coast and Geodetic Survey, and the legends indicate its purpose.

The Canadian claim begins at Cape Chacon, passes through the dangerous channel leading to Pearse Inlet and the head of Portland

Channel. Thence it strikes nearly due west to the head of Burrough Bay, and keeps so close to the general directions of the continental shore as to cross all the deep water inlets. It crosses Lynn Canal at the north end of Shelter Island, sixty-two miles south of the head of Taiyá Inlet, takes in two-thirds of Glacier Bay, and part of Disenchantment and Yakutat Bays.

The American boundary line is not drawn in so rigidly as the surveys would suggest, but at the White and Chilkoot Passes it adopts them as the boundary line, and crosses the Chilkaht River at thirty miles from deep water. It errs in not reaching the Fairweather range, and passing along the north side of the Kaskar-Wurlch instead of following the crest-line of the Fairweather and St. Elias ranges.

1899: The chart No. 8100 of the United States Coast and Geodetic Survey is entitled: "Clarence Strait, Revillagigedo Channel and Portland Canal, S. E. Alaska." It extends from latitude 54° 35' to 56° 02', and includes all of Portland Inlet on the east to Cape Muzon on the west. The scale is nearly three nautical miles to one inch. The topography is not expressed except the rocky shore lines, and the isolated peaks of mountains which have been fixed by triangulation. The soundings are sufficiently numerous. A photo-litho copy of part of this chart will accompany this paper, and therefore it need not be described in detail. The deep water of Portland Channel reaches to latitude 55° 55', where the cañon is continued to 56° 02'. The low bottom of this cañon is composed of detritus brought down by the glaciers on the east side. Through this recently formed low ground the Bear River cuts its way. The mountains on each side reach 5000 feet and over, at two miles from the shores. The deep water is continued one mile north of Eagle Point on the west side, with soundings to thirty-two fathoms. The spring tides rise as much as twenty-seven feet.

The chart exhibits, in the most convincing manner, the disproportion of width and breadth of the master channel of Portland Inlet and the Pearse Canal. The cross sections are probably in the proportion of sixty to one.

The intricacies of the passage ways through the islands Pearse,

Wales, Sitklan, Kannaghunut and Tongass, and the dangers to navigation therein, are very clearly exhibited.

1900: The Chart No. 8000 of the United States Coast and Geodetic Survey, March 1900, is entitled "Dixon Entrance to Cape St. Elias." It is on a good large scale of seventeen nautical miles to one inch.

The boundary line begins at Cape Muzon, passes through Dixon Entrance and Portland Canal to latitude  $56^{\circ}$ , follows the thirty miles line generally from the heads of the inlets, crosses the Stakheen at thirty-five miles in a straight line from its mouth, thirty miles from the head of Endicott Arm, and thirty-five from the head of the Taku Inlet. Thence it crosses Atlin Lake, Taku Arm and Bennett Lake, that all drain into the Lewes River, the great tributary of the Yukon. It sweeps around Taiyá Inlet at a distance of thirty miles, passes east of the Kaskar-Wurlch, and thirty miles inside of the head of Yakutat Bay, thence to Mt. St. Elias.

The terms of the Treaty of 1867 have not been followed, the water-parting has been disregarded, and the line differs greatly from that of Chart No. 8050 of 1901.

1901: "Dixon Entrance to Head of Lynn Canal." Chart No. 8050 of the United States Coast and Geodetic Survey, published August, 1901. This is on a good large scale with soundings to the head of all the inlets, arms or "sinuosités." The extreme limit of the sheet is only seven miles north of Taiyá Inlet. The boundary line begins at Cape Muzon, passes in a straight line eastward through the northern part of Dixon Entrance to the middle of the entrance to "Portland Canal," thence to latitude  $56^{\circ}$ , five miles beyond the head of deep water. From this point, it runs in a general direction parallel to the coast line at a distance of thirty miles therefrom. It pays no attention to the seven deep inlets or "sinuosités." It is only fourteen miles from the head of Taku Inlet, twelve and thirteen from the heads of the two great arms of Holkham Bay, and twenty-five miles from the head of Burrough Bay. From latitude  $56^{\circ}$  it runs in nearly a straight line for one hundred and ten miles.

This chart embraces the latest topographical and hydrographical surveys, and it alone affords the material for a very close plotting of the line, and if the boundary line of thirty miles be drawn according to the strict wording of the Treaty, the errors of the chart line are shown very prominently. In this statement the question of the crest-line or water-parting of the mountains is not considered; it may be within the thirty miles limit.

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#### REMARKS UPON THE AMERICAN CHARTS.

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The authority for the American charts of the Archipelago Alexander and thence to the westward is the Bureau of the United States Coast and Geodetic Survey, under the Treasury Department.

At the epoch of the Treaty of 1867, there was no authority for the charts then existing of these waters except the Russian Admiralty charts and those of the Russian American Company, and these were based upon the Surveys of Vancouver, and in some part upon those he obtained from the Spanish explorers. Of course many details had been added by the officers of the Russian American Company.

In the preparation of the chart of 1867 for the Department of State, it would seem that no attention had been paid to the terms of the Convention of 1825 or the Treaty proposed for 1867. This view is sustained by the boundary line of that chart starting from the head of Portland Canal, and thence following remarkably close to the British Admiralty line of 1856, even to passing between the two mountains where the later charts place the Lion's Head.\* Had the text of the Treaty been consulted, the boundary would have begun at Cape Muzon at the southwest point of the Prince of Wales Island, (Archipelago,) of that chart.

The chart of 1869 added nothing to our knowledge of the boundary. Then for some years there was an apathy in Congress about Alaska and no appropriations were passed for surveys, and only small yearly amounts to keep up tidal records at Sitka and Kadiak

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\* *Coast Pilot of Alaska, U. S. Coast Survey, 1869*, George Davidson, page 108.

Island. The traffic in furs with the natives stimulated traders to adventure the Archipelago, and the discovery of gold ledges claimed investment and workers. Sitka increased in trade and population, Juneau started with the working of the rich Treadwell gold mines, and Wrangell controlled the traffic of the Stakheen.

Finally the people demanded regular mail facilities, and the vessels carrying the mail and those trading, demanded surveys. In this way hydrographic surveys were inaugurated through the channels traversed by the steamers.

In 1872 Canada was awakened by the discovery of gold in the Cassiar region; in 1884-5 she was aroused by reported mineral wealth in the Northwest Territory, and naturally sought a shorter and better route thereto than through her own domain. British Columbia after the first five years (1881-1885) of pelagic fur sealing, had found the richness of the Northwest waters, and naturally had an interest in the Archipelago as a possible region for fur hunting.

In 1884 the Coast Survey chart of Alaska laid down the boundary line from Cape Muzon through Dixon Entrance and Portland Canal to the head of the latter. Thence the line is not laid down in the terms of the Treaty. The chart was used in the Message of President Cleveland in May, 1886, and the Secretary of State Bayard informed the President "that the British Government is prepared to take part in a preliminary investigation, and that nothing now delays action but the want of the appropriation by Congress necessary to enable this Government to take part in the Survey."\*

These and other considerations elsewhere mentioned conspired to force both Canada and the United States to inaugurate systematic surveys.

In 1887 Canada sent exploring parties into the Yukon district, one of which determined the 141st meridian where it crosses the Yukon River. In 1889, the U. S. Coast and Geodetic Survey sent two parties to the Porcupine and the Yukon to determine the location of the same meridian, and both were successful. After these and other operations the Dominion of Canada and the United States

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\* Senate. *Ex. Doc. No. 143, 49th Congress, 1st Session, 1886.* Pages 1 and 2.

entered into an arrangement to carry on the trigonometrical and topographical surveys of the continental shore around the Archipelago Alexander, and as far northwest as Mt. St. Elias, and that work was finished in 1895. In the meantime the hydrography of all the channels and inlets was carried on by the officers of the U. S. Coast and Geodetic Survey.

In the U. S. Coast and Geodetic Survey chart of 1894-5, the boundary line is laid down from Cape Muzon through Dixon Entrance to Portland Inlet and Canal; but beyond the head of Portland Canal, it does not follow the text of the Treaty of 1867, and particularly where the crest-line or water-parting of the Kotusk Mountains is laid down, but it swings north thereof and crosses the headwaters of the Lewes River in Canadian territory.

On the large scale map of 1898 the boundary line does take cognizance of the crest-line at the head of the Chickamin and Unuk streams, and also around the north tributary of the Taku River; but it fails to restrict the line to the water-parting of the Kotusk Mountains, fails to cross the Chilkahlt and the Tklæ-heenæ at the thirty miles limit, and runs on the north side of Kaskar-Wurlch\* instead of the south side. Between this last stream (which is laid down approximately on the chart) and the ocean, the mountain range nearest the coast lies in a general direction southeast and northwest, and swings around the head of Yakutat Bay.

The "Map of Southeastern Alaska," of 1899, was issued by the U. S. Coast and Geodetic Survey to illustrate the claims of the United States and Canada. It is not satisfactory, because although it recognizes the crest-line at the head of the White and Chilkoot passes, and the thirty miles limit at the Chilkahlt, it fails to recognize the coast range of mountains from Mt. Fairweather to the northwestward.

The chart No. 8100 of the United States Coast and Geodetic Survey, published in 1899, has been taken as the authority for the hydrography and topography of the Admiralty chart No. 2458.

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\* *Explanation of an Indian map of the Rivers, Lakes, Trails and Mountains from the Chilkahlt to the Yukon, drawn by the Chilkahlt Chief Koh-klux' in 1869.*  
George Davidson, 1901.

It is on a good and satisfactory scale, so that the proper relations of the narrow channels to the broader can be instructively studied. This is of much importance in the contention that has been put forth, that the Pearse Channel is the "Portland's Canal" of Vancouver. Vancouver's chart was ample proof to the negotiators of 1825; this should be convincing to the still more exacting, if such there be.

On the chart No. 8000 of 1900, the boundary line after leaving the head of Portland Canal follows generally the thirty miles border, but after crossing the Taku River it turns so far in from the mountains as to cross the head of Atlin Lake, Taku Arm, several streams and Bennett Lake, which are some of the head waters of the Lewes, and are north of the Kotusk water-parting, which is fairly well laid down. No attempt has been made to approximate to the terms of the Convention and Treaty in that region.

The chart No. 8050 of 1901, represents the continental shore with all its "sinuosités" or inlets to the head of deep water and beyond. Nevertheless the text of the Convention and Treaty has not been followed. From the head of Portland Canal the boundary line is laid down in a nearly straight line for one hundred and ten miles without regard to the deep water inlets or even the changing coast line. It passes fourteen miles only from the head of Endicott Arm, which carries 122 fathoms of water to the face of the Dawes Glacier. It heads Taku Inlet at a distance of only twelve miles, which carries 56 fathoms of water at the face of Foster Glacier. The passes of the White and Chilkoot trails across the Kotusk Mountains are not within the limits of the Chart, but it passes to the east of Taiyá inlet at a distance of twenty-three miles.

This chart furnishes the best material to date of the topography of the country adjacent to the eastern shore of the Archipelago Alexander, and taken with the surveys of the Dominion of Canada around the northern and eastern sides of the adjacent mountains, an approximate line might have been laid down.

## DEDUCTIONS FROM THIS EXAMINATION OF THE MAPS AND CHARTS.

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In concluding this review of the charts named, and of the surveys that have been carried forward towards completion, we feel justified in expressing a general opinion thereon.

The charts having the most authority are those published by the Governments of Russia and Great Britain, through their Admiralty Offices; and the Hudson's Bay Company Map of 1857 presented to the Select Committee of Parliament by Sir George Simpson, Governor-in-Chief of the territories of that Company.

We contend that the terms of the Convention of 1825, and the Treaty of 1867, both founded upon the charts and narrative of Vancouver, are sufficient to lay down the limits of the Lisière; and that the French texts of the Convention and the Treaty are those that govern its location.

Should any doubt be cast upon some point, the published documents of the Plenipotentiaries of Russia and Great Britain are sufficient to make the matter clear.

The only question of doubt is in the distance of the crête, crest-line or water-parting of the mountains from the continental shore, and parallel to the sinuosities thereof; and for the solution of that condition exhaustive surveys must be made for its demonstration.

Sufficient surveys have been made to exhibit the exact location of all the inlets or sinuosities that penetrate the continental shore and fix the thirty miles limit therefrom.

## CONTENTIONS AND CLAIMS MADE BY THE DOMINION OF CANADA.

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For the period from 1825 to 1867, during the occupation of Alaska by Russia, there was no contention made by Great Britain or Canada about the boundary between Alaska and Canada, as defined by the Convention of 1825. Great Britain and Canada had been satisfied with its provisions. During the larger part of that time the Hudson's Bay Company had uninterruptedly carried on extensive fur traffic with the natives of the Archipelago Alexander and with the Russians at Sitka.

Great Britain was so much interested in developing trade through the western waters along the British Columbia Coast, that she had been carrying on hydrographic surveys from Victoria northward from or about the year 1857; and when these surveys reached the position of Portland Inlet in 1868, they were discontinued.

Captain Sir Edward Belcher, R.N., Commanding the *Sulphur*, in 1837 visited Sitka from his northern exploration, but made no survey, or even passage through the Archipelago Alexander.

The Admiralty chart No. 2461, of 1856-65, laid down the boundary line with due respect to the terms of the Convention so far as known inlets or sinuosities would warrant. The same is to be said of chart No. 2683.

The Hudson's Bay Company map of 1857 presented by Sir George Simpson, Governor-in-Chief of the territories of the Company, was accepted by the Select Committee of the House of Commons as evidence of the location of the boundary line. It was, judging by comparison, based upon the Admiralty chart No. 2461 just mentioned.

Great Britain had no contentions to make concerning the boundary.

The first contention we have found is wholly unofficial, and might reasonably be passed by, yet it is recalled to indicate the local animus on the subject. It will be remembered that placer gold was first discovered on the Stakheen in 1861; that the British

sloop of war *Devastation* in 1862 sought and obtained permission from the Russian Governor at Sitka to visit the mouth of that river to investigate a reported attack of Indians upon British subjects; that in 1863, the Russian corvette *Rynda* was ordered from Hakodate in Japan, to examine whether the reported mining claims were in Russian territory, and made a reconnaissance of the river for nearly two hundred miles.

After these events the *British Colonist*, a newspaper of Victoria, V. I., in 1863, made a long protest against the occupation of Alaska by Russia, accentuated with such ejaculations as: "America must be ours. \* \* \* The mouth of the Stikine must be ours. \* \* \* The strip of land which stretches along from Portland Canal to Mt. St. Elias with a breadth of 30 miles, and which according to the Treaty of 1825 forms part of Russian America, *must eventually become the property of Great Britain.*"\*

Canada made no contention, and Great Britain made none; there was nothing about which to contend; that ebullition acknowledged the lisière had belonged to Russia.

After short preliminary propositions, the Government of Russia, in 1867, ceded all its territories and dominion in America to the United States for a specified sum of money. Neither Great Britain nor Canada offered any protest or contention with respect to claims upon the territory of Alaska. Neither Great Britain nor Canada entered one word of protest when the United States established a military post at Fort Tongass on an island between Cape Fox and Pt. Wales.

Before and after the purchase, the United States Government had several unsettled boundary questions with Great Britain about the contiguous territory of Cauada; and after the decision of the San Juan Island affair in 1872, President Grant was anxious to have surveys made in Alaska to properly delineate and mark by monuments, the line of the lisière as described in the text of the Convention.

At the same time Canada, on account of the discovery of placer

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\**Ex. Doc. No. 177. House of Representatives, 40th Congress, 2d Session, February 19th, 1868.* Page 140.

gold on the Stakheen in the same year, was anxious to have the thirty miles limit laid down on that river. She had a survey made in 1877 provisionally to establish a Customs House.

The Congress of 1872 considered the estimated cost of the survey suggested by President Grant too great to warrant the undertaking, and left the subject in abeyance. The value of the whole region was problematical, except the fisheries and fur sealing. From 1881 to 1885 British Columbia learned the value of the pelagic fur sealing through the waters of Alaska and the Bering Sea. About the same time Canada learned of the mineral wealth of the northwest territory.

From 1885 we may say that contentions began to be made by Canada and by British Columbia. The first contentions made claims at the southern part of the Archipelago Alexander in order to get a foothold on some of the islands and on the lisière; later the contentions covered the head of Lynn Canal as being in Canadian territory; and finally the claims have embraced every inlet, along the continental shore, sixty miles of Lynn Canal, half of Douglas Island, Glacier Bay and part of Yakutat Bay.

These contentions and claims were made by the Canadian officials and writers, and by British Columbia officials and writers.

To support these contentions we have shown in this paper that maps were falsified, the language of the treaty misquoted, misconstructions placed upon certain words and conditions of the text and the use of the name Portland Canal therein called a mistake. Publications were made in magazines and in Government documents; and in the Canadian Parliament the subject has been presented adversely to the United States, wherein the Prime Minister Tupper said: "There are only two other ways in which we can settle it. One would be by arbitration and the other by war."\*

In 1894-5 the surveying parties of the Dominion of Canada joined with those of the United States Coast and Geodetic Survey, made a geodetic survey to delineate the orography of the thirty miles lisière, and the hydrography parties of the United States

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\* *British Columbia Mining Record*, Christmas, 1899. Paper by Sir Charles Hibbert Tupper, K.C.M.G., Q.C., M.P. Page 4.

executed the hydrography of the inlets or sinuosities to their heads. We consider the topographical surveys incomplete in that they do not indicate the crest-line of the mountains bordering the continental shore, and they left unsurveyed the White, Chilkoot and Chilkaht Passes across the Kotusk Mountains to the summits of said passes, or to the thirty miles limit. The Canadian party had made a survey across the divide or water-parting, but it is not represented on the United States Chart No. 8050.

We now propose to briefly present some remarks upon several of the points at issue in the text of the Treaty of 1867, in addition or in fuller explanation of what we have hitherto written.

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THE UNITED STATES AND BRITISH COLUMBIA DESIRE THE BOUNDARY LINE TO BE FIXED:  
VIEWS OF PRESIDENT GRANT, 1872:  
STATEMENTS OF SECRETARY  
OF STATE BAYARD, 1886.

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In 1872 placer gold had been discovered in the Cassiar district which embraces Dease Lake and River. "This lake may be reckoned as the center of the District;" it is in latitude 58° 30', one hundred and twenty geographical miles square in from the continental shore, and on the east side of the continental divide or water-parting.

Miners subsequently reached it by the way of the Stakheen; cattle and pack animals by way of Fraser Lake at the south. The carrying in of materials by way of the Stakheen involved the collection of customs duties, and the Government of British Columbia took action thereon, as is seen by the following statement by Mr. R. S. Gosnell.

"The Legislative Assembly of British Columbia in 1872 passed a resolution praying the Lieutenant-Governor to call the attention of the Government of the Dominion of Canada to the necessity in the interests of 'peace, order and good government' of taking

steps to have the boundary line properly defined. The immediate reason for this was that gold had been recently discovered in the Cassiar District, or northern part of British Columbia; a large number of miners had gone in and a considerable trade was carried on. There was practically only one route to the gold fields, and that was *via* the Stikine River, which has its outlet through Alaskan or American Territory." \* \* \* Up to that time "the question had not then been raised as to the Portland Canal. The latter was practically accepted by both parties as the proper boundary."† This expression of opinion is justified by that of the Surveyor General of Canada, J. S. Dennis, in 1874. In his letter to the Minister of the Interior he writes that it would, at that time, be sufficient to know where the boundary line crosses the rivers Skoot, [the south fork of the Stakheen] Stakeen, Taku, Isilcat [Tsil-cut of Davidson in 1869] and the Chilkah; the head of Portland Canal; and the 141st meridian, where it crosses the Yukon and Porcupine rivers.†

Mr. Gosnell continues: "A suggestion was made by the American Government that in lieu of an accurate and exhaustive determination [of the boundary], it would be 'quite sufficient to decide upon some particular points, and the principal of these they suggested should be the head of Portland Canal, the points where the boundary line crosses the rivers Skoot, Stakeen (Stikine) Taku Islecat, and Cheelcat, Mt. St. Elias and the points where the 141st degree of west longitude crosses the Rivers Yukon and Porcupine.' The Canadian Government was quite willing to accept the proposition, but for some reason or other nothing more was done, notwithstanding that the question was pressed time and again on their attention by the Canadian Government." (Gosnell, pages 96-97.)

It must have occurred to General Grant, then President of the United States, that some unforeseen question might arise about this boundary matter, because, when referring, in his annual message to Congress, (December 2d, 1872), about the settlement of the San

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\* *The Year Book of British Columbia.* R. E. Gosnell. Librarian Legislative Assembly and Secretary Bureau Statistics. Victoria, B. C., 1897. Page 96.

† Sessional Papers. Vol. XI, V. Sess. 3rd. Parl. Dom. of Can. 1878.

Juan dispute, (which had arisen from a trivial matter,) he said:\*

"Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay and embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory some trivial contest of neighbors may again array the two Governments in antagonism. I therefore recommend the appointment of a commission, to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our territory of Alaska and the coterminous possessions of Great Britain."

Acting upon this recommendation an estimate was made of the probable cost and time for making the survey by the Government, and it was fixed at about one and a half millions of dollars, and the time at about nine years of field and one year of office work. These estimates prevented the appointment of the proposed commission.

It should be noted that even this public declaration did not elicit any hint or suggestion from Great Britain that she had any claim whatever to be settled. In the letter of Secretary Bayard (November 20, 1885), he adds "The condition of increasing settlement apprehended by President Grant has assumed marked proportions." A few paragraphs before the above the Secretary states that "it is certain that no question has arisen since 1867 between the Governments of the United States and Great Britain in regard to this boundary."

Nevertheless the United States began to awaken to any possible challenge of her boundary rights. The Secretary declared that "in the judgment of the President the time has now come for an

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\* Senate. *Ex. Doc. No. 143, 49th Congress, 1st Session, 1886.* Page 3.

understanding between the Government of the United States and that of Her Britannic Majesty looking to the speedy and certain establishment of the boundary line between Alaska and British Columbia. And this necessity is believed to be the more urgent, inasmuch as the line is found to be of uncertain if not impossible location for a great part of its length." (Pages 3, 4.)

The Honorable Secretary could not know, unless by report, that the location was impossible; and certainly the description given in the Treaty does not warrant his statement that it is uncertain. On the contrary we contend that the terms describing the boundary line admit of only one construction.

The Honorable Secretary, evidently relying upon the statements of other persons, falls into other errors.

When he enters into an explanation of the claim of the United States, he writes; (page 4) "There would seem to be ground in the text of Vancouver, the original explorer and geographer of the region, for supposing that he at one time regarded Pearse Canal of later geographers as the lower part of Portland Canal."

As a matter of fact Vancouver was very much vexed that he personally had given so many days in his boat, away from the ships, to examine intricate channels that were of no use to navigation; and he especially refers to the strait now known as Pearse Channel, as an intricate passage. When he was leaving Observatory Inlet and Portland Canal, he would not risk his vessels in that strait, and he evidently did not consider it worth naming.\*

The Secretary also errs in saying that Vancouver was the original explorer and geographer of the region north of Dixon Entrance. In these straits and channels, Vancouver found Caa-mano and other Spanish explorers and navigators who had already made the exploration of all these waters, and hence to the southward and to the westward. They gave him transcripts of their surveys; their outlines and names of places can be noted on Vancouver's charts, and he applied Spanish names to some islands probably not named by them. He had only one object in view,—the delineation of the "continental shore,"—the Spaniards were

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\* *Vancouver:* Vol. II, pages 341, 345.

carefully examining every canal, inlet and island from Puget Sound to the far northwest.

The Secretary speaks of the Pearse Canal of "later geographers." It was not examined in the British hydrographic survey of 1868, and is incidentally mentioned in two lines in the *Coast Pilot* of British Columbia (Hydro. Office, United States,) before quoted, so it is doubtful who the "later geographers" are.

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PRESIDENT CLEVELAND'S MESSAGE OF MARCH  
2, 1889: CRITICISM OF THE STATEMENTS  
OF MAJOR GENERAL CAMERON AND  
DR. DAWSON OF THE CANADIAN  
SURVEY DEPARTMENT.

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The message of President Cleveland transmitting his report of March 2d, 1889, upon the boundary line between Alaska and British Columbia, contains six letters of American and Canadian officials, the texts of the two Conventions of 1824-5 and 1825, the text of the Treaty of 1867, and eight charts.

The letters are interesting because they disclose the contentions of gentlemen connected with the Government of the Dominion of Canada, and the counter opinions of an American officer of the U. S. Geological Survey, but not appearing in his official capacity.

The several more important propositions put forward by the Canadian authorities are as follows:

In the matter of Vancouver's "conventional and arbitrary" line of mountains, the chart is not to be reckoned with; but reference must be had to his narrative and therefrom that line "which is represented as everywhere rising immediately from the coast and which borders upon the sea," shall be considered the only practical one, and "it is therefore to the summits of these mountains immediately bordering the coast that the words of the convention must be understood to refer." This line is estimated to average "considerably less than five miles," from the shore. This line is represented

by the Chart No. 16 of the President's message; but no sign of any mountains whatever is shown thereon. The best answer to this opinion is in the United States and Canadian Government surveys of 1894 and 1895, and in the proper location of the crête, crest-line or water-parting elsewhere discussed.

The next "important question" is the meaning of the words "côte" and "océan" in the text of the Treaty. Major General Cameron asserts that in the second clause of the fourth article "it is there laid down that the measurement shall be made not from inlets but from the ocean," and makes the following quotation therefrom: "Que partout où la crête des montagnes, qui s'étendent dans une direction parallèle à la côte \* \* \* se trouverait à la distance de dix lieues marines de l'océan \* \* \* la limite \* \* \* sera formée par une ligne parallèle à la côte, et qui ne pourra jamais en être éloignée que de dix lieues marines." (Page 5.)

This quotation is, to use a mild term, disingenuous. The latter part of the text reads, "la limite entre les Possessions Britanniques et la lisière de Côte mentionnée ci-dessus comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la Côte, et qui ne pourra jamais en être éloignée que de dix lieues marines."

The text uses the vital word "sinuosités," which he omits. The value of the paragraph and the gist of the question are destroyed by that inexcusable omission. Such practice is paralleled in the British Columbia map of 1895 where the Kotusk Mountains are "washed out."

Dr. Dawson declares that in the text as quoted from General Cameron "the word ocean is wholly inapplicable to inlets; consequently the line, whether marked by mountains or only by a survey line, has to be drawn without reference to inlets." As the word "sinuosités" was left out in his quotation, we might let this opinion pass, but Dr. Dawson evidently understood the force of the word, for in a third paragraph (page 6) he says; "none of the inlets between Portland Channel and the meridian of 141° west longitude are 6 miles in width, excepting, perhaps, a short part of Lynn Canal." \* \* \* "All the waters within the mouths of the inlets are

as much territorial waters \* \* \* as those of a fresh-water lake or stream." And finally from his point of view, "rivers and inlets are identical." It is not necessary to discuss such propositions with the plain words of the Treaty at hand to contradict the violent construction placed upon them. Another statement made in Dr. Dawson's letter is that the British Columbia Government has made the contention (page 6) "that the words 'dite Portland Channel,' in Article III, are palpably erroneous." He finds trouble in reaching Portland Channel because from the cape first designated as the southernmost point of Prince of Wales Island, the line would have to go east instead of north; and moreover by ascending Portland Channel, the line could not strike the mainland at 56° because the Canal does not reach that latitude. "If, however, the name only of Portland Channel be omitted, and the directions given be precisely followed, the line will ascend Clarence Strait and reach the mainland at the stated latitude and by the stated course." (Page 7.) The play of Hamlet with Hamlet left out.

To this claim we have explained elsewhere that the waters of Dixon Entrance were not known by name on Vancouver's chart or in his narrative. Vancouver himself reached the head of Portland Canal (page 340, Vol. II,) and found it low and marshy as the topography of to-day exhibits it. From the noon of July 28, in latitude 55° 25', he did not reach the head until next morning, and estimated his latitude 55° 45'.

But we need not discuss the matter for it is clearly admitted by a quotation in the paper of Hon. David Glass, Q.C., in the *Anglo-American Magazine* for December 1899, (page 556); "Count Nesselrode in his letter of April [17] 1824, as above quoted says: 'We propose to carry the southern frontier of our domains to latitude fifty-four degrees and forty minutes and to make it abut on the continent at Portland Canal, of which the opening into the ocean is at the same latitude as Prince of Wales Island and which has its origin inland between the fifty-fifth and fifty-sixth degrees of north latitude.' \*\*\*"

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\* *Fur Seal Arbitration.* Volume IV, page 399; Count Nesselrode to Count Lieven, April 17, 1823. The letter is in French.

Nothing could be more explicit; they had Vancouver's chart before them, and his head of the canal is placed thereon in 55° 45'. The Plenipotentiaries were not standing on what would appear to them as a very trifling matter. These explanations should be satisfactory, but they may be readily fortified and made conclusive by the following British authority. "Amended Proposal by Sir C. Bagot" inclosure No. 2, in his letter of March 17 (29) 1824, to Mr. George Canning.\*

He is stating that as it has been agreed upon to take as the base of the negotiations, the mutual conveniences of both countries, "en réponse à la proposition faite par les Plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrémité méridionale de l'Île du Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme," etc.

After the foregoing expressions showing that the negotiators understood the geographical relations of islands, capes, straits, canals, entrances and the lisière, in so far as they were exhibited upon the charts of Vancouver, Sir Charles Bagot presented a reply to the Russian Plenipotentiaries (page 429) that showed he was very unwilling to yield Portland Canal, and therein he made this extraordinary statement in relation to the Hudson's Bay Company, (page 430); "Cette Compagnie a en effet des Établissements même près de la côte, au nord du 55 degré \* \* \*." And still further to magnify the claims of that Company, he says: "L'origine du Portland Canal peut être, comme il y a lieu de croire, l'embouchure de quelque fleuve qui coule par le milieu du pays occupé par la Compagnie de la Baie de Hudson, et il est par conséquent d'une importance majeure à la Grande-Bretagne d'en posséder la souveraineté des deux rives." (Page 430.)

We see clearly that the negotiators fully understood the value of this great canal with its broad, deep channel way running far into the mainland.

But Dr. Dawson is not satisfied with the Portland Channel even if that is the proper route for the boundary line, and so he shifts

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\* *Fur Seal Arbitration.* Vol. IV, page 427.

it to Pearse Canal or Channel. "It is at least certain that if the line of boundary was intended to follow Portland Channel it was the channel so named by Vancouver, the lower part of which passes to the north of Wales and Pierce Islands of recent charts," etc. (Page 7.) It is useless to follow him; the whole statement is painfully distorted. We have elsewhere elucidated this matter of the "confusion of nomenclature" of the Observatory Inlet and the Portland Canal; and have shown that Vancouver personally surveyed the Pearse Inlet, which he condemned in his narrative and did not name. He says, "Portland's Canal" \* \* \* "from its entrance to its source is about 70 miles" long, (Vol. II, page 371), and on its chart it measures a little more. The course of his ships is through Observatory Inlet and Portland Inlet as now named on Admiralty charts; the survey of the upper part of Portland Canal was by his own boats.

The relative character of the Portland Inlet and Pearse Inlet is shown on chart No. 8050 of the U. S. Coast and Geodetic Survey, corrected to March 1902; on chart No. 8100, 1899, of the same Bureau, on a very good scale; and on a slightly smaller scale on the chart No. 2458 of the British Admiralty of 1896, corrected to 1900, part of which is shown in Mr. T. W. Balch's paper of 1903. (Page 117.)

Later, Dr. Dawson proposes several conventional lines for the boundary; but his ill-concealed object in all his suggestions is to "give Canada a foothold at the head of these inlets;" \* \* \* "Portland Channel, Taku Inlet and the heads of Lynn Canal;" and in case "objection should be taken thereto," he would "consider it advisable to revert to the Treaty boundary which, though no doubt requiring expensive surveys, is not improbable of realization." (Page 9.)

The last expression of his judgment nullifies all previous special pleading; and is in the right line.



## THE MODUS VIVENDI OF 1899.\*

There appears to be a wide-spread opinion that the temporary boundary points around the heads of the Chilkaht, Chilkoot and Taiyá Inlets were fixed for all time in 1899 by the Governments of the United States and Great Britain, represented by the Joint High Commission; and that the Commission of February, 1903, has authority to fix the rest of the boundary. This erroneous idea may have arisen because the twenty miles line across the Chilkaht Valley and along the Tklæ-heenæ† had been so formally laid down on the map "prepared in the office of the U. S. Coast and Geodetic Survey, Treasury Department,"‡ and also because the whole question of the boundary has never been fully understood by the people east of the Rocky Mountains, or at least, has excited no spirit of interest except in a few notable instances.

The decisions of these Commissions have no positive relation to a finality which requires the action of the treaty making power of the United States, the Senate.

Before considering the conditions and circumstances attending the adoption of the Modus Vivendi, we give a description of the map referred to, which presents an unsatisfactory exhibit of the character of the country.

It is drawn to a scale of five statute miles to an inch; and embraces the territory between the latitudes of  $59^{\circ} 00'$  and  $59^{\circ} 59'$ , the longitudes  $135^{\circ} 00'$  and  $136^{\circ} 27'$  west. It covers an area of 2570 square

\* "Modus Vivendi between the United States of America and the United Kingdom of Great Britain and Ireland, fixing a provisional boundary line between the territory of Alaska and the Dominion of Canada about the head of Lynn Canal.

Concluded by exchange of notes October 20, 1899, by John Hay, Secretary of State of the United States, and Reginald Tower, Chargé d'Affaires of Her Britannic Majesty at Washington."

† Named Klaheela on the map referred to. See the map in the "*Explanation of an Indian Map*" already quoted.

‡ "Map to Accompany the Modus Vivendi, concluded October 20, 1899 between the United States and Great Britain, fixing a provisional boundary line between Canada and the Territory of Alaska about the head of Lynn Canal. Prepared in the Office of the U. S. Coast and Geodetic Survey, Treasury Department." There is no date to it.

statute miles and the southern limit is twenty-nine geographical miles south of the deep water head of Taiyá Inlet.

Numerous mountain streams are laid down; the outlines of the inlets are given, but no indications of the depths of water which they carry. The locations of glaciers and of many mountain peaks are shown with the heights of the latter above the sea; several reach over seven thousand feet. There are no other indications of the orography except the legends "White Pass" with the height 2500 feet obliterated by the broken line that marks the Modus Vivendi boundary; and the "summit of Taiyá or Chilkoot Pass,\* 3600 feet," marking the second section of the boundary.

The White and Chilkoot Passes are at the two low breaks of the water-parting of the Kotusk Mountains that run about northwest and southeast. At these points the waters draining to the north reach the Yukon, those draining to the south reach Taiyá Inlet.

No heights are given along the Chilkaht River, but the heads of the streams would indicate that the line of the water-parting was thirty-three geographical miles from the Chilkoot Inlet, and thirty-nine geographical miles from the Chilkaht Inlet. The railroad survey of 1898 carried a line of levellings up the Chilkaht and along the Koh-klux' trail to the lower reaches of the Lewes.

There are two passes at the headwaters of the Chilkaht, neither shown on the map; that of the north fork is 5100 feet above the sea at a glacier that forms the water-parting, at about forty or fifty miles in a straight line from the Chilkoot Inlet, and twenty-five miles from the head of the Chilkoot Inlet. The second pass lies just north of the large mountain called Ah-klen' by the Chilkaht Indians. Here a small lake receives the extreme headwaters of the Yagh-heen-a, the main northwest branch of the Chilkaht. Just north of this stream and lake lies a small lake from which runs the Slit-la-glegh to the northwest, and forms the headwaters of the All-segh' that empties into the Pacific Ocean at Dry Bay. Between these two streams and lakes lies the water-parting of the Chilkaht Pass at an elevation of 3100 feet above the sea. It is

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\* The Tsil-kut of Koh-klux', 1869.

about fifty miles in a straight line from the Chilkahlt Inlet, and about forty-five miles from the Chilkoot Inlet.

The crête or crest-line of the mountains is therefore beyond the limit of ten marine leagues from the sinuosities of the continental shore.

On this map the temporary boundary is laid down across the Chilkahlt River at eighteen geographical miles from the head of the Chilkahlt Inlet, and only thirteen miles from the deep water head of the Chilkoot Inlet. It follows westwardly the course of the Tklae-heenæ for ten miles, and then southwesterly six miles to a peak of 6500 feet elevation. The Porcupine River runs to the northeast parallel with that part of the boundary course, but one or two miles to the southeastward. The Porcupine\* River was much coveted by the Canadians on account of its placers.

Recurring to the Modus Vivendi, we refer to the practical application of its decisions at the three localities just referred to. The Canadian Customs stations near the White and Chilkoot Passes were to the northward of the water-parting, and that on a tributary of the Chilkahlt at Pleasant Camp on the Koh-klux' trail, 1852-69, was approximately, ten marine leagues up the Chilkahlt River from the head of the Chilkahlt Inlet. The change of the first two was proper; that on the Chilkahlt was in direct conflict with the plain terms of the Treaty. By the Modus Vivendi the United States has given an extensive region of placer gold diggings to the temporary control of Canada, although the metallic value should not govern. Canada has entered and now occupies the territory of the United States.

In consideration of the strained relations between the Canadians and the citizens of the United States on these routes, or for some inscrutable reason, it may have seemed politic to the American members of the Joint High Commission to yield this temporary advantage for the period during which negotiations toward a settlement are pending. In the meantime, however, the boundary on the Chilkahlt may be restored to its rightful location, should circumstances demand such action.

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\* This is the second Porcupine River in Alaska.

The method of the *Modus Vivendi* is not a novelty in the United States.

During Mr. Cleveland's first administration, 1885-89, there was a fisheries treaty relating to Canada pending in the Senate of the United States; and a *Modus Vivendi* was agreed upon, which was continued for some years after the treaty was rejected by the Senate.\*

The method was also accepted in 1892-93 and the Bering Sea was closed to the pelagic sealing fleet. This involved certain obligations upon both governments to prevent the extermination of the fur seal herd. It is true that the result was very far from satisfactory because the United States complained that Great Britain, in 1894 and 1895, had furnished but two or three patrol ships to the seventeen vessels maintained by the United States in those waters. This inefficient method of Great Britain led to the letter of instructions of Secretary of State Sherman to Ambassador Hay in July, 1897, wherein he declared that "England has from the beginning, and continuously failed to respect the real intent and spirit of the Paris Tribunal or the obligations imposed by it." This official document gave rise to much adverse comment in London.

What causes led to the inception of the late Joint High Commission have not been publicly made known. Some efforts had been made to reaching a *Modus Vivendi* or a final settlement of the 141st meridian boundary before the preceding letter of Secretary Sherman.

Thus on the 30th of January 1897, Secretary of State Olney and the British Ambassador Sir Julian Pauncefote signed the Convention for the definition, by the Commission, of so much of the Alaska boundary as is marked by the 141st meridian. The formal designation of the Treaty is "A Convention between the United States and Great Britain for the demarcation of the boundary between their respective possessions in North America." The intention of this Commission was to mark the meridian which had been so satisfactorily determined by Mr. John P. McGrath of the United States Coast and Geodetic Survey, and Mr. William Ogilvie

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\*See Senator Morgan's remarks in the *Congressional Record*, March 4th, 1898.  
Page 2775 (1).

of the Canadian Land Survey, through the Forty Mile Creek district.\* This stream empties through the left bank of the Yukon just east of the 141st meridian, but the greater part of the placers upon its banks and tributaries lie west of the 141st meridian and therefore in American territory. The administration, or the friends of the administration, announced that this was a determination, by peace-arbitration with Great Britain, to settle an important boundary dispute.

"The Commission," in the language of the Convention, "is to determine the terminal points defined in said treaties," and "to be dependent upon the scientific ascertainment of convenient points along said meridian, and the survey of the country intermediate between such points. This Commission is to involve no questions of the interpretation of the aforesaid treaties, but merely the determination of such points and their connecting lines by ordinary processes of observation and survey, conducted by competent astronomers, engineers and surveyors."

During the last fifteen years many important events have transpired in which the two governments had certain interests. Among them were the President's Message of March 2, 1889, on this Boundary Question, after the astronomical survey of Ogilvie in 1887-88 on the Yukon; the surveys on the Yukon and Porcupine Rivers, 1890-91; the Bering Sea Controversy, 1892, and the subsequent resulting friction; the surveys by official parties from Canada and the United States, around part of the lisière in 1894 and 1895; the Passamaquoddy Bay claims of Canada in 1894 and 1895; the action of the President through the Secretary of State in the Venezuela boundary matter in 1895; the discovery of placer gold on the Klondike in 1897 and the strains resulting therefrom; the war upon Spain in 1898, when Great Britain was generally credited with holding back the other European powers; and the prospects of war in South Africa where the Boer States resisted the suzerainty of Great Britain.

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\* Mr. John H. Turner of the United States Coast and Geodetic Survey had determined the 141st meridian where it crosses the Porcupine River, within the Arctic circle, and had made a sledge trip from his camp to the Arctic Ocean.

Unsatisfactory conferences between the American and Canadian Commissioners had been held in 1894 and 1895 under the Convention of July 22, 1882. These related to the Alaska Boundary, and the Passamaquoddy Bay dispute. Suddenly and unexpectedly the American Commissioner's services, so far as they related to the Alaska question, were "terminated on receipt of this letter" from the State Department. Then a commissioner was appointed wholly unacquainted with the subject, and not qualified for the investigation of so delicate a problem. At that time the Department of State was not sufficiently conversant with the importance of the subject.

These and other disturbing causes may have prompted the Government to adopt the advice of President Grant in 1872 and, waiving sharply drawn technicalities, to reach a final settlement upon the justice of her rights in the long, continuous and undisturbed occupancy of the territory claimed by Canada.

At any rate the two governments agreed to a Commission of four persons, two on behalf of the United States and two on behalf of Great Britain to prepare the way for a proper presentation of several matters at issue. The United States was represented by Ex-Secretary of State John W. Foster and Reciprocity Commissioner John A. Kasson; and Great Britain by the British Ambassador at Washington, Sir Julian Pauncefote and Sir Louis Davies of the Canadian Ministry.

On the 30th of May 1898, this body met in conference in Washington and decided to name a Joint High Commission for the consideration of Pelagic Fur Sealing in Bering Sea, Commercial Reciprocity, the Alaska Boundary and other matters of interest.

The personnel of this Commission was somewhat remarkable. There were six American Commissioners, and five Commissioners representing Great Britain. Of the latter four were from the highest Canadian and Newfoundland officials. There was no geographer on the Commission.

This Joint High Commission was organized for business at Quebec, Canada, August 23 1898.

In the discussion upon the Alaskan Boundary, which extended

over several months, the Commissioners could not agree upon the meaning of the text of the Convention of 1825, which had been so clearly understood by Sir George Simpson in 1841-42, and unhesitatingly acknowledged by him before the Select Committee of Parliament in 1857.

When this disagreement became fixed, the British and Canadian members of the Commission coolly proposed that the United States should cede or grant to Canada in perpetuity Pyramid Harbor, the only safe anchorage in that region, and one and two-thirds miles south of the deep water head of Chilkahlt Inlet. With this was coupled the necessity for the cession of a strip of land through the breadth of the lisière. That would give to Canada the best grade highway into her Northwest Territory, with a rise of only 3100 feet in about fifty miles, and on the best route thence to the Lewes and Yukon Rivers. There is no other so favorable route into the Canadian territory anywhere on the northwest coast. It would reach Fort Selkirk at the mouth of the Lewes on a route of less than four hundred statute miles with no greater elevation than the 3100 feet mentioned. It is such a remarkable line of travel that Canada has nothing of equal value in exchange for it, if the United States could for a moment consider the proposition.

When viewed calmly this proposal of the Canadians to cut the territory of Alaska into two parts, with Canada occupying the dividing area, astonishes every citizen at its supreme assurance and absurdity.

We have always believed and announced that the early contentions for ingress at the south through Clarence Strait, Pearse Canal, etc., and the later claims at the north, were made solely as claims to be finally yielded for the sacrifice of Pyramid Harbor and the rich and uniquely situated valley of the Chilkahlt River. There is no entrance to the interior plateau by any of the inlets of the south. Canada failed in the steamboat enterprises laid out for the Stakheen route, and some pressure was exhibited for the Skaguay route. But the real prize was the Chilkahlt route and its safe harbor, as well as the larger anchorage northeast of Pyramid Island. This Chilkahlt route was surveyed for an American Railroad

Company in 1898, but the Boston agents could get no concessions whatever from Canada beyond the lisière, and so the project was abandoned.\*

With Great Britain in possession of the Chilkahlt route, and with fortifications at Pyramid Harbor and Pyramid Island (La-hut'sk of Koh-klux') such as exist at Esquimalt, Vancouver Island, she would control the Archipelago Alexander and the North Pacific; and could readily fill the Yukon regions with means of warfare. This has been fully recognized by the Canadian historian, Mr. Alexander Begg, whom we have quoted in other matters.

It is not necessary to follow the discussions of the Joint High Commission except to say, that when the Commissioners representing the United States suggested the selection of an umpire from the American Continent, the Commissioners of Great Britain considered it a "most objectional" proposition.

It was thus clearly evident that no conclusion about the boundary could be reached by this method of procedure, and after seven months the Joint High Commission adjourned; and the matter was referred to the two Governments.

The present mixed Commission of Jurists on the Alaska Boundary is the result of friendly action by the two Governments. A preliminary convention was signed at Washington on the 24th of January, 1903, by the Secretary of State John Hay on behalf of the United States, and by Sir Michael Herbert, Ambassador of Great Britain on behalf of that country. This Convention provided that the question of the Alaska Boundary should be referred to a Commission of six Jurists, three of whom shall be nominated by each Government. On the 11th of February, 1903, this proposition was ratified by the Senate of the United States.

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\* "Sect. 4 of the Contract made by the Dominion Government with Mackenzie and Mann."

"4. For five years from the 1st of September, 1898, no line of railway shall be authorized by Parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the international boundary between Canada and Alaska into the Yukon District, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway." *Congressional Record*, March 4, 1898; page 2774 (1)."

By its construction this body does not constitute a tribunal of arbitration. One essential condition in this Convention is, that the French text of the Articles III, IV and V of the Convention of 1825 between Russia and Great Britain shall be considered the official language; and that logically demands the introduction of the Charts and Narratives of Vancouver.

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#### TO LAY DOWN AND MARK THE BOUNDARY LINE.

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Implicit faith cannot be placed in boundary lines to be laid down minutely upon maps or charts, unless they are drawn from satisfactory surveys made under the direction of both governments; and when such lines are drawn they must comply with the terms of the treaty defining them.

Many instances of changes during the last few years clearly indicate that in the boundary between Alaska and British Columbia, arbitrary constructions have been placed upon the terms of delimitation, and insufficient and even erroneous data placed upon the charts and maps.

As a rule the existence of sinuosities or deep water arms or inlets has been ignored with a few exceptions, and no topographical surveys have yet shown that the crête, crest-line or water-parting is within ten marine leagues of the continental shore.

The indications are that it is beyond the ten marine leagues limit except at the Kotusk Mountains, marked by the White and Chilkoot Passes, and along the crest-line of the Fairweather and St. Elias ranges. Near the head of the Portland Canal, the two mountain streams, Chickamin and Unuk, indicate approximately, the water-parting, although no stream head has been determined as draining to the northward. The Stakheen, and the Taku River, cut through the Coast Range from the high plateau eastward thereof. See letter of Sir James Douglas to George Davidson in the Appendix.

No stream between the Stakheen and the Taku has been examined to the water-parting, and yet there are five deep and navigable inlets stretching far into the mountains. Whiting River has not been examined to its head.

The most remarkable case of not making an exhaustive survey of the water-parting is that of the White, Chilkoot and Chilkaht Passes, which are easily accessible. The reason for this oversight on the part of the United States is unaccountable.

In 1894-95 the United States Coast and Geodetic Survey surveyed this region within a thirty miles limit measured apparently from the Seduction Point of Vancouver as a centre. As a matter of fact that point is twenty-three miles south of the deep, one mile wide canal named Taiyá Inlet elsewhere described. That survey might have been carried to the thirty miles limit from the heads of the two passes leading from the Taiyá Inlet across the divide, or certainly to the water-parting. We know from a line of levellings run by a San Francisco engineer for railroad purposes from the head of the Chilkaht Inlet that the water-parting up the Chilkaht River is more than thirty miles from deep water; therefore that valley should have been surveyed to the thirty miles limit.

To lay down the boundary line according to the terms of the Treaty, we should be governed by the crête, crest-line or water-parting of the mountains inside the continental shore; by the ten marine leagues limit from that shore; and by the sinuosities or deep inlets that break the general outline of that shore and form part of it.

If we suppose, for example, that the crest-line lies to the eastward and northward of the ten leagues limit then the bounding line can be laid down upon the chart or map as follows:

From the head of each deep water inlet, canal, sinuosity or bay, part of a circle is described with one point of the dividers at each head and the other point extended to the ten leagues limit. Where there are no such canals or inlets, then the circle is drawn with one point of the dividers at any part along the outermost shore, and the other point extended ten leagues. These circles should be

numerous enough to coalesce with the circles from the heads of the inlets.

Then through the inland tangential points of all these circles a line should be drawn, which line will represent closely the line of the boundary under the aforesaid conditions.

If at any part of the country traversed by this line, the crest-line or water-parting of the range of mountains is less than ten leagues from the continental shore, then the boundary line must follow that crest-line until it again reaches the ten leagues limit, and thence continued along the line of tangencies. The crest-line may intrude upon the ten leagues limit more than once, and along the Fairweather and St. Elias ranges it may be continuously less than the ten marine leagues limit.

So far as we have examined the later charts and maps this method has not been adopted, but some arbitrary system has been applied.

Such a line as we have suggested may be laid down upon a map, but in such a wild region as that to be traversed, it would be impracticable to mark it upon the surface of the country. We say impracticable in the ordinary use of the term.

Under such adverse surface conditions the proper method of approximation to the true line should be such that the explorer and the miner may have in view, at all times, prominent natural objects which he may recognize from official descriptions.

In the higher mountains peculiarly formed peaks will readily catch the eye; these should not be many miles apart. In the valleys of streams, or in passes, special monuments may be erected.

All such peaks and monuments should be considered as connected by a series of straight lines; and both Governments should agree to "give and take" on some reasonably equitable basis.

It is quite likely that along parts of the crest-line of the mountains, and on either side, will be found extensive fields of névé or glacial ice—mers de glace—from which glaciers descend through eroded valleys.



## CONCLUSION.

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No matter what the unofficial charts published since 1825 may indicate, they alone are not sufficient to settle the question of the exact location of the Boundary line around the Lisière. Nor is any chart to be credited that has not followed the terms of the Convention of 1825 and the Treaty of 1867.

The decision of sovereignty over that part of Alaska embraced within the Lisière will doubtless be mainly based upon the following conditions:

1. The strict construction of the French text of the Convention of 1825 as drawn from the Charts and Narrative of Vancouver.
  2. The understanding of that text by the great rival fur Companies, because they confessedly advised their respective Governments.
  3. The vitality and effectiveness of the protecting barrier of the Lisière.
  4. The rights of discovery, occupation and assertion acquired by Russia, and continued until 1867.
  5. The acquiescence of the Hudson's Bay Company to those rights by the Governor-in-Chief, Sir George Simpson, and his successors, through forty-two years (1825 to 1867); during which the Russian American Company jealously and effectively permitted no intrusion or interference; and during which period the Hudson's Bay Company made several leases with the Russian American Company.
  6. The purchase of these rights of territory and sovereignty from Russia by the United States in 1867.
  7. The peaceful exercise of those rights by the United States to the present time.
  8. The non-protest and acquiescence thereto of Great Britain in and after 1867.
  9. The acquiescence thereto of Canada from 1867 to 1885.
- Upon these conditions alone we maintain that the United States

holds an impregnable right to the territory and dominion of the Archipelago Alexander, and to the Lisière surrounding it and bordering the main ocean; including each and every of the deep water bays, arms, canals, inlets or sinuosities that reach into the border or coast-strip.

And further, notwithstanding the contentions which Canada has forced upon the United States, we believe this question should never have been submitted to any commission, when such action might lead to a reference of the rights of sovereignty of the United States to the decision of a court of arbitration.

Upon the rights of occupation, possession and assertion through seventy-eight years stands the title of the Nation.

A handwritten signature in cursive script, appearing to read "George Davidson". It is written in black ink on a light-colored background. There is a horizontal line through the signature, suggesting it is a copy of a handwritten original.

THE DECISION OF THE ALASKA BOUNDARY  
TRIBUNAL:

OCTOBER 20TH 1903.

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As this paper is going through the press we are asked to make some comment upon the decision of the Tribunal so far as the terms have been given to the press. We have not seen the official report of that body,\* but have received a copy of the "Map showing Award of Alaska Boundary Tribunal, October 20, 1903." This Chart has a scale of sixteen nautical miles to one inch.

In August, a type written copy of this paper, without the chapter upon the *Modus Vivendi*, was transmitted through the Honorable Secretary of State to the Agent of the American members of the Tribunal. For several causes the printing of this paper has been unavoidably delayed.

In the brief statement of our conclusions we expressed the opinion that the sovereignty of the lisière around the southeastern part of Alaska would be decided upon the strict construction of the French text of the Convention of 1825, as drawn up from the narrative and charts of Vancouver, and explained by the correspondence and papers of the Russian and British Plenipotentiaries that led to the consummation of that Convention; by the spontaneous acknowledgment of those rights by Sir George Simpson, Governor-in-Chief of the Hudson's Bay Company's territories, in his narrative of a "Journey round the World" in 1841-2; by the reiteration of his judgment before the Select Committee of Parliament in 1857; and by the occupation and assertion of Russia until 1867.

Since 1867 the United States, as the successor of the unimpeached title of Russia, has exercised all the functions of dominion and sovereignty over the territory of Alaska as clearly defined by the Convention of 1825, unchallenged even by innuendo until 1885, and then not by the government of Great Britain.

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\* See page 221, when we received it as we were writing this chapter.

Let us briefly recall some of the principal points that led to the Convention of 1825, the Treaty of 1867, and the late contentions of the Dominion of Canada.

Before 1825, Great Britain, France, Spain, Portugal and the United States had no rights of occupation and assertion on the northwest coast. The formalities of "taking possession" at every opportunity did not weigh against the rights of discovery and occupation by Russia. Had that empty function been of recognized national value, Spain had prior rights to Great Britain.

There was no English settlement on the coast or the continental shore of Northwest America, notwithstanding the assertions of Sir Charles Bagot and the Deputy Governor of the Hudson's Bay Company. Spain had systematically examined and traced the western coast of America in 1542-3 and 1603 as far north as latitude 43°; in 1769 her explorers by land had seen San Francisco Bay, and founded the Mission of San Carlos de Monterey in 1770; and Perez had reached to the latitude of 54° 40' four years later. Russia had made the discovery of the Northwest coast in 1741, and her occupation and further explorations and traffic had extended along the coast before Cook appeared in those waters in 1778. Then came Vancouver in 1792-94 to find that the Spaniards had anticipated him. Russia, with a certain policy in view, extended her explorations along the Pacific Coast of America as far south as Cerros Island in Lower California in latitude 28°; and in 1812 had established the stockaded military, farming and trading post at Fort Ross in latitude 38° 30', a few miles north of San Francisco.

Russia remained unchallenged in her possessions until she committed the short-sighted political blunder of issuing the Ukase of 1821. Then the United States and Great Britain, to protect their fur traders on the coast, promptly protested against her claim to sovereignty of the high seas. The paramount object of the Convention of 1825 was the settlement of what the Secretary of the Foreign Office designated "an extravagant assumption of maritime supremacy" by Russia, "to territorial rights over the adjacent seas to an unprecedented distance;" and "an offensive and unjustifiable

arrogation of exclusive jurisdiction over an ocean of unmeasured extent."

The secondary matter of the boundary, was declared by Mr. Canning "*not on our part essentially a negotiation about limits;*" "*the whole negotiation grows out of the Ukase of 1821.*" "*The settlement of limits \* \* \** was proposed by us only as a mode of facilitating the adjustment of the differences arising from the Ukase," etc.\*

Russia had fully realized the grave mistake committed in promulgating that Edict, and that matter was easily settled.

In the negotiations, the United States made no direct territorial claims north of  $54^{\circ} 40'$ ; and therefore the duties of Mr. Henry Middleton, Plenipotentiary, were confined chiefly to the matter of the revocation of the Ukase.

The readiness with which Russia had suspended the "offensive pretensions of the Edict," would seem to have stimulated the British negotiators to make such excessive and unwarranted demands, that Russia would have been driven from the Archipelago Alexander had she not held firmly to her rights.

Great Britain began by making demands for territory which she had not discovered, and upon which she had never placed her foot in actual occupation. The published diplomatic correspondence from 1822 to 1825, demonstrates that the claims based upon the occupancy of a trading post of the Hudson's Bay Company on the Mackenzie River, were made to stretch six hundred miles to the Archipelago Alexander, across a *terra incognita*, except the known existence of Mackenzie's Rocky Mountains.

The Hudson's Bay Company knew nothing of its character, and the British negotiators received their information from that source. The Hudson's Bay Company made no attempts to reach this region from the interior until 1834; nor did they reach the Yukon until 1847, when they invaded Russian territory. As late as 1856 some British geographers discharged the Yukon, one of the great rivers of the world, into the Arctic Ocean, at the 150th meridian.

Early in the negotiations Russia had sent orders for her vessels

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\* *Fur Seal Arbitration:* Vol. IV, pages 446 and 448.

not to carry out the provisions of the Ukase. She had not named the limits of her territorial claims, yet Mr. Canning was fearful she might, and wrote to Sir Charles Bagot that "we must not on any account admit the Russian territory to extend at any point to the Rocky Mountains."\* In the same letter, January 15, 1824, Russia was charged with "an unwarrantable claim of territorial dominion," (page 419); and the British Ambassador pressed the boundary question with such astonishing audacity as to exceed the instructions of the Foreign Office. He reaches to misstatement in his letter from St. Petersburg, March 17 (29) 1824, wherein he declared in speaking of the "Observations of Russian Plenipotentiaries on Sir C. Bagot's amended Proposal;" "As in this paper parts of the main continent to which Russia cannot by possibility have ever acquired any claim, and of which Great Britain is at this moment actually in partial occupation, are offered to His Majesty in the light of concessions, it became necessary for me to reject any such offers as a boon in the most explicit terms," etc. (Page 425.)

He certainly appeared to rise to the value of the Archipelago Alexander to the Hudson's Bay Company when he claimed all the islands, straits and continental shore thereof from Cape Spencer eastward and southward.

Mr. Rush, in his letter of August 12th 1824, to Mr. Adams, wrote:† "They [the British Plenipotentiaries] said that Great Britain considered the whole of the unoccupied parts of America, as being open to her future settlements, in like manner as heretofore." Mr. Middleton had suggested that "no country has any absolute and exclusive claim to these coasts," but that the United States, as heirs of Spain, and by her own right of discovery, had the best of the claims. This would appear to have ruffled Sir Charles, for in his letter of October 17 (29) 1823, from St. Petersburg, he says: "I am still more strongly inclined to believe that, as a division [of territorial rights] once made, this government will never permit

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\* *Fur Seal Arbitration*: Vol. IV, page 420.

† *American Annual Register*: for the years 1825-6, or the Fiftieth year of American Independence. New York. Published by G. and C. Carvill, 108 Broadway. 1827. Page 34.

the United States, if they can prevent it, either to fish, settle, or trade with the natives within the limits of the territory which may be allotted to Russia."\* From the papers above referred to we learn that the British made claims to the coast as far south as latitude 42°.

It will be readily understood that these and other irritating conditions retarded the settlement of the questions at issue between the governments. The British Plenipotentiary had affected to believe that the United States was aiding Russia, and therefore the common action of Great Britain and the United States was discontinued. There is no published evidence to sustain this belief. Count Nesselrode had acknowledged to Count Lieven that "le Cabinet de Washington a reconnu que nos limites devoient descendre jusqu'au 54° 40';" April 17 1823, (page 400). But Mr. Rush had made that fact known.

In the presentation of her claims to Russian territory, the Foreign Office and the British Plenipotentiary were prompted to accept the dicta of the Hudson's Bay Company, as specifically declared by Mr. Canning in his letter of September 17, 1822, to the Duke of Wellington. He was referring to the opinion given "by Lord Stowell and His Majesty's Advocate General," upon the best legal arguments that could be presented in opposition to the claims of the Russian Ukase, and wrote: "As, in both these opinions, much stress is very properly laid upon the state of actual occupation of the territories claimed by Russia, and the different periods of time at which they were so occupied, I have obtained from the Governor of the principal Company of His Majesty's subjects trading in that part of the world the information which your Grace will find in the inclosed papers." (Page 387.)

Then eighteen months later, in his letter of April 24, 1824, to Sir Charles Bagot, he wrote: "I have referred the whole question of this negotiation anew to the Governors of the Hudson's Bay Company, whose Report I expect shortly to receive." (Page 431.)

The knowledge of the Governors of that Company was received

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\* *Fur Seal Arbitration*: Vol. IV, pages 410-412.

second hand from their Factors, and these latter gathered the reports of trappers and "voyageurs."

Mr. J. H. Pelly, Deputy Governor of the Hudson's Bay Company, in his letter of March 27, 1822, to the Marquise of Londonderry, refers to the claims of Russia in the Ukase, and to the territorial claims of the United States. In one place he says: "I need not remind your Lordship that a large part of that country was discovered by British navigators, and taken possession of on behalf of Great Britain; \* \* \* but it may be necessary to state to your Lordship that the Americans had no trade with the natives until long after the British Establishments had been in the country to the westward of the Rocky Mountains." \* \* \*

"For above twenty years the British fur traders had Settlements, and the Company have an Establishment of 200 men on the Columbia River at this period, and large and valuable Establishments to the northward." (Page 380.)

It is to be noticed that he does not claim that the Hudson's Bay Company or the British fur traders had any settlements on or near the coast. In September, 1822, he enumerates the four interior stations occupied by the Company, (page 383), the nearest of which to the region in dispute was about one hundred and thirty miles eastward from the entrance to Portland Inlet.

Under date of October 17, 1822, the Duke of Wellington drew up a "Confidential Memorandum" for Count Nesselrode, in which he states: "Now we can prove that the English North-West Company and the Hudson's Bay Company have for many years established forts and other trading stations in a country called New Caledonia, situated to the west of a range of mountains called Rocky Mountains, and extending along the shores of the Pacific Ocean from latitude 49° to latitude 60°." (Page 387.)

The Russian "Mémoire Confidentiel" makes denial of some of the Duke's assertions, and among the statements is this: "Les Cartes Angloises même les plus récentes et les plus détaillées n'indiquent absolument aucune des stations de commerce mentionnées dans le Mémoire du 17 Octobre, sur la côte même de l'Amérique, entre le 51° et 60° de latitude septentrionale." (Page 390.)

As a matter of fact the Hudson's Bay Company never had, to that date, any settlement, fort, station or establishment near the coast except the temporary hold of the British North-West Company at Astoria on the Columbia River; and all the traffic was with and through the interior as declared by Sir James Douglas, elsewhere quoted.

These few statements from official documents, fortified by more extended evidence through this paper, afford a means of forming a judgment upon the one supreme question before the Convention of 1825. They exhibit the object, tone, temper and power of the two rival fur Companies, and of the Negotiators of both countries.

Russia knew her rights, but there was a weak joint in her armor that was never referred to in the defence of those rights. Great Britain, on behalf of the Hudson's Bay Company, had all to gain and nothing to lose, and her Plenipotentiaries opened the great game and conducted it with assurance; she was more vulnerable.

Russia never confessed that supplies for the people of the Russian American Company were largely dependent upon the California post of Fort Ross. Furthermore, her hunters had taken tens of thousands of otter and fur seals on that coast, and there was yet much wealth in the southern fisheries.

Two weak points in the British contentions were the ignorance of the country between the coast mountains of Vancouver and the Rocky Mountains of Mackenzie; and the fatal assertions which her negotiators made that the trade stations of the Hudson's Bay Company were carried as far north as 60° on the coast.

The discussions of the negotiators eventually developed a fair knowledge of the geographical features of the Archipelago Alexander. The authority of Vancouver was never impeached by Russia; on the contrary she had used his charts upon which to lay down her more detailed discoveries. His charts and narrative, and the language of the Convention of 1825, were used in the Treaty of 1867; and the earlier United States Coast Survey charts, and the Admiralty charts, were based upon them.

The negotiators had learned the relation of the waters of Dixon Entrance to the Prince of Wales Island, and to Portland Canal;

they certainly knew Portland Canal as well as it is known to-day, except as to details of topography and hydrography. They discussed the chain of mountains and the crest-line as conventionally laid down by Vancouver. They were aware that he had examined every mile of the continental shore and had located all the sinuosities thereof. They knew what the term *lisière* stood for;—it was the stone wall which the British Ambassador could not breach.

In his letter to Mr. Canning, Sir Charles Bagot said there were three points upon which the differences appeared to be almost, if not altogether, irreconcilable. Two of these were: “1. As to the opening *for ever* to the commerce of British subjects, of the port of Novo Archangelsk. 2. As to the liberty to be granted to British subjects to navigate and trade *for ever* along the coast of the *lisière* which it is proposed to cede to Russia, from the Portland Channel to the 60th degree of North latitude, and the islands adjacent.”

Such remarkable propositions could not be accepted by any self-respecting government.

Russia stood firmly for the integrity of the Archipelago Alexander, and the protection of her traffic by the impregnable *lisière*. She did not yield to a single one of the contentions of Sir Charles, who was then recalled, and larger powers were given to Mr. Stratford Canning, his successor.

Determined not to permit the Hudson’s Bay Company to gain access to or egress from the interior across the *lisière* by way of the sinuosities, Russia yielded to Great Britain the right to use the rivers and streams that might be found to drain the interior. Then the Hudson’s Bay Company, through the efforts of the British Plenipotentiary, secured ten years right for fishing, and for trading with the natives of the Archipelago. The same privilege had been given to the citizens of the United States in the Convention with Russia.

During the three years through which the negotiations had been conducted, every contingency had been thoroughly thrashed; the rival Companies had made their fight, and the Plenipotentiaries were then enabled to draw up their agreements in the form of the

Convention of 1825. So well did they understand each other that the language is terse, concise, descriptive and effective. The description of the bounding line of the lisière is clear and decisive; there is no mental reservation therein; there is no trickery or ambiguity of language. It admits of only one interpretation. The interpretation and understanding of that remarkable document stood the test of forty-two years. With a thorough survey according to modern methods, the niceties of the bounding line can be laid down with severe precision upon the wording of that document.

Russia jealously guarded her rights through the Russian American Company with its imperial prerogatives.

When the Hudson's Bay Company, near the end of the ten years privileges tried to obtain a foothold near the mouth of the Stakheen, by sending the brig *Dryad* from Fort Vancouver on the Columbia River, it had no other recourse than to establish the post at Fort Simpson, and then sought to obtain a second lease. It should not be forgotten that the Hudson's Bay Company founded this post on the east side of Portland Inlet, and not on the west where Tongass was as accessible, but was recognized as being in Russian territory.

In 1854, during the Crimean war, the rival Companies again showed their powers by making a compact in which they "agreed not to molest each other" \* \* \* and "both Governments confirmed the arrangements."\*\*

In 1862 the Commander of the British sloop-of-war *Devastation* sought and obtained permission from the Governor of Alaska to make a visit to the Stakheen, as elsewhere related.

In 1863 the Russian corvette *Rynda* made a reconnaissance of the Stakheen for nearly one hundred miles.

In 1867 Russia renewed the offer of 1854 to sell her possessions in the Northeast Pacific, to the United States, and the Treaty proclaimed June 20th 1867, was the result.

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\* Report from the Select Committee on the Hudson's Bay Committee. \* \* \* Ordered by the House of Commons, to be printed 31 July and 11 August, 1857. Questions and Answers Nos. 1738-1742.

By that Treaty the United States succeeded to all the dominion and sovereignty of Russia.

Great Britain made no protest. Canada made no protest. The British Hydrographic Survey of British Columbia waters, in 1868, respected the boundary line through Dixon Entrance and Portland Inlet. No sounding was made west of the mid-channel of that Inlet as laid down on British and American charts. Nor has there been any survey made by the British Admiralty west of mid-channel of the Portland Inlet of their latest charts.

After placer gold deposits were discovered in the Cassiar section of British Columbia in 1871, the question of the ten marine leagues limit was first mooted; and President Grant in his message of December 2, 1872, advised Congress to have a survey made of the whole lisière region.

Canada made a local survey in 1877 to determine the thirty miles limit across the Stakheen for the purpose of establishing a Customs House upon a provisional boundary line.

Mr. R. E. Gosnell, Librarian of the Legislative Assembly of British Columbia, has written that "up to 1885 it does not appear that a line through 'Portland Channel' was ever questioned."

Hon. Secretary of State Bayard wrote, November 20th 1888; that "no question has arisen between the two governments of the United States and Great Britain in regard to this boundary."

In 1881 the subjects of British Columbia commenced pelagic fur sealing, and soon found it exceedingly profitable.

In 1885 Canada awakened to the mineral wealth of the Northwest Territory, and foreseeing the necessity for a favorable sea connection with the interior, commenced a series of puerile contentions through General R. D. Cameron and Dr. George M. Dawson of the Geological Survey. Most of them were revamped from those of Sir Charles Bagot; one of them was original,—that the "Portland's Canal" of Vancouver and the "Portland Channel" of the Convention of 1825, were the Pearse Channel or Inlet of these later days.

No faith was really placed in these predatory and untenable claims; they were the watered stock to be offered in exchange for

the later claim of Pyramid Harbor and the head of Lynn Canal, by which Canada could get an ocean terminus of the best route into the Northwest Territory. Canada knew there was no feasible route into the interior through Portland Canal and Burrough Bay, nor through her own territory.

Therefore all the efforts of Canada were directed to the head of Lynn Canal; it was worth a desperate struggle. The language of the Convention was mutilated in correspondence; the meaning of the text was challenged and twisted; and "la passe dite *Portland Channel*" of Article III, was declared a gross oversight. Maps were produced with fictitious mountain ranges, and new locations of the boundary line regulated thereby.

Thoughtful Americans and Canadians saw clearly the need which Canada had for a short line of traffic between the ocean waters and the northern interior. Each hoped for a route within their own territory. There was none available by way of the Portland Canal, and the Yukon route was open to the Americans but three months in the year.

The United States commenced explorations for an all-Alaska route by way of the Copper River in 1884, and again in 1885. These two expeditions led to other attempts that pointed to success.

The Canadians were active in explorations in the interior.

It is not necessary to follow the course of events until 1894-95 when the United States and the Dominion of Canada, by agreement, sent surveying parties into the region of the lisière. In each Canadian party there was an officer of the U. S. Coast and Geodetic Survey, and in each United States party there was a Canadian officer from the Department of Surveys.

The surveys as published were not complete; they were not carried far enough inland to locate la crête, crest-line or water-parting of the lisière. The Coast Survey parties did not even locate the well-known water-parting of the White and Chilkoot Passes; nor did they survey the Chilkaht Valley to the ten marine leagues limit from the deep ocean waters. The head of that valley is about forty-five miles from the head of the Inlet.

Before the results of these surveys were published, the discovery

of placer gold on the Klondike aroused Canada and the United States to the complications that might arise in international revenue and judicial questions.

A stampede took place from British Columbia and from the Pacific states. Men were determined to push through their outfits and supplies by the shortest available route. Thirty miles stations were fixed beyond the Chilkoot and White Passes and later a thirty miles station was established on the Clahini ('Tklæ-heenæ) tributary of the Chilkaht, known to the Canadians as "Pleasant Camp." We believe the distances were accurately measured by the survey officers of the Canadian Land Survey Department, and were marked by posts with proper designation thereon. South of the Chilkaht station rich placer diggings were discovered near the Porcupine River or Creek, a tributary of the Chilkaht emptying just north of Klu-kwan' which we had occupied as an astronomical station of the U. S. Coast and Geodetic Survey in 1869.

In this period of excitement and unrest, the maps representing the work of 1894 and 1895 were published by the U. S. Coast and Geodetic Survey, and by the Department of Land Surveys of Canada. But other maps had preceded them with mutilations and imaginary boundary lines. In these no regard was paid to the text of the Convention. The rights of the United States were cast to the winds. We were told that Canada "permitted the United States to hold the present ports of Dyea and Skagway both in British Territory." These and many other contentions were aided and abetted by the published opinions of legal gentlemen (Queen's Counsel) and by the Canadian Parliament.

The Joint High Commission of August 1898, had disagreed because the Canadian members proposed that the United States should cede to Canada, in perpetuity, Pyramid Harbor at the head of Chilkaht Inlet; and also cede a strip of land therefrom through the Chilkaht Valley across the lisière. This demand verifies what we have always held, that all other contentions were simply foils to obtain that harbor and line of transit. The proposition was like asking for the cession of a harbor on the coast of New England, and the right of way thence to the St. Lawrence.

From that disagreement arose the Modus Vivendi of October 1899, in which territory of the United States in the Chilkaht Valley within the ten marine leagues lisière, and never claimed by Great Britain, was given temporarily to Canada.

Then came the Tribunal of January 24th 1903, composed of three American members and three representing Great Britain, of whom two were Canadians. These gentlemen met in London in September and rendered their award on the 20th of October 1903.

The text of that award has reached us as we are writing. It is a document of three folio pages and is entitled: "Decision of the Alaska Boundary Tribunal under the Treaty of January 24, 1903, between the United States and Great Britain."

From this paper we learn that it was agreed by the Convention that the Tribunal should, in the settlement of the questions submitted to its decision, consider the Treaties between Russia and Great Britain in 1825, and between Russia and the United States in 1867; and should also take into consideration any action of the several Governments or of their respective Representatives, preliminary or subsequent to the conclusion of the said Treaties so far as the same tended to show the original and effective understanding of the parties in respect to the limits of their several territorial jurisdictions under and by virtue of the provisions of the said Treaties.

It was further agreed by the said Convention, referring to Articles III, IV and V of the said Treaty of 1825, that the said Tribunal should answer and decide the following questions:—

- “ 1. What is intended as the point of commencement of the line ?
2. What channel is the Portland Channel ?
3. What course should the line take from the point of commencement to the entrance to Portland Channel ?
4. To what point on the 56th parallel is the line to be drawn from the head of Portland Channel, and what course should it follow between these points ? ”

The gist of the fifth question is: In extending the line of demarcation northward along the crest-line of mountains situated parallel to the coast, subject to the conditions that if such line should anywhere exceed the distance of ten marine leagues from the ocean, then the boundary should be formed by a line parallel to the sinuosities of the coast and distant therefrom not more than ten marine leagues, was it the intention and meaning of the Convention of 1825 that there should remain in exclusive possession of Russia a continuous fringe, or strip, of coast on the mainland not exceeding ten marine leagues in width, separating the British possession from the bays, ports, inlets, havens and waters of the ocean, etc., etc.?

The sixth states the conditions that if the foregoing question should be answered in the negative, or should the summit of the mountains be more than ten marine leagues from the coast, then should the width of the lisière be measured from the mainland coast; or where the mainland is indented by deep inlets, was it the intention of the Convention to measure the width of the lisière from the general direction of the mainland coast, or from the line separating the waters of the ocean from the territorial waters of Russia, or from the heads of the aforesaid inlets?

The seventh question asks what are the mountains referred to as situated parallel to the coast.

It will be remembered that all these subjects have been examined in this paper; we have presented sufficient evidence of the intentions of the two Governments in framing the Convention of 1825, and have described the Prince of Wales Island, Dixon Entrance and Portland Channel, and explained the meanings of the lisière, the crête, the sinuosités, etc.

The Award is accompanied by a chart of the Archipelago Alexander and the mainland northwestward to Mt. St. Elias. It is on a scale of thirty-three marine miles to one inch. It is entitled "Map showing Award of Alaska Boundary Tribunal, October 20, 1903." Published November, 1903. Of this map and three others, upon which the boundary line is plotted, we give the following description:

The map attached to the Award is on a scale so small that a clear judgment cannot be formed of the character and relation of the mainland and of the islands, straits, inlets and rivers. It hides or belittles all the parts surrendered. The width of the newly discovered Portland Channel should be represented by the one-hundred and thirtieth part of one inch.

The second chart has the same title; the scale is sixteen nautical miles to one inch. It has some orographical features; it is too small, weak and unsatisfactory.

In these two charts the width of the newly discovered Portland Channel is necessarily exaggerated.

The third chart is entitled, "South East Alaska Portland Channel to 141st Meridian," published May, 1903. The scale is eleven nautical miles to one inch. It possesses one advantage over the others in having the channels colored light blue; but there are no soundings and the topography exhibits little more than the tops of isolated mountains.

The mountain peaks in the broken line boundary are exhibited upon the fourth chart No. 8050 of the U. S. Coast and Geodetic Survey, entitled "Dixon Entrance to Head of Lynn Canal, South East Alaska;" published in August, 1902. The scale is eight nautical miles to one inch. It is compiled from U. S. Coast and Geodetic, Russian and Canadian Surveys. It covers a large amount of topographic and hydrographic work, and while not complete through the lisière, it gives the headwaters of some of the streams flowing into the ocean. The concessions made by the Tribunal to Canada can be fairly well studied.

For a thorough exhibit of the proposed line a map on the scale of chart No. 8100 of the U. S. Coast and Geodetic Survey with nearly three nautical miles to one inch should have been presented. It would require several sheets, but upon these could be shown with clearness all the topographic features gathered in the surveys of 1894-95 and later by the United States and the Dominion of Canada.

Referring to chart No. 8050, we are able to approximately locate the crête or water-parting at two or three parts of the lisière, but

these have not been accepted by the Tribunal, as, for instance, at the heads of Le Duc and Unuk Rivers, which have been transferred to Canada.

At the Stakheen the broken line is shown to cross on the Canadian provisional line of 1877 which stretched ten nautical miles westwardly from Mt. Whipple to an unnamed mountain of 4300 feet elevation, and thence across the river to mountains of only 4200 and 4000 feet elevation. That crossing is only eighteen or nineteen miles from Pt. Rothsay at the southern mouth of the river. East of these relatively low mountains at twenty-nine and thirty-one miles from Pt. Rothsay, are the peaks of Mt. Laura 7527 feet, Mt. McGrath 6179 feet; with Big Mountain 8750 feet, and Pinnacle 8346 feet at thirty-one miles. The charts differ in the relative position of the mountains in this immediate locality, because one chart has two peaks of 8750 and 7950 feet unnamed and close to the last two, within thirty-one miles of Pt. Rothsay. Where is the crête in this case? Certainly not at the 4200 feet elevation. By this concession Canada controls sixteen miles more of the river course than she was entitled to.

From a neighboring peak of the Devils Thumb, the line has not been fixed until it reaches an unnamed mountain of "approximately" 8000 feet elevation in latitude  $58^{\circ} 45'$  and longitude  $133^{\circ} 50'$ . This undetermined line of one hundred and twenty-six geographical miles requires future surveys by which to establish proper objects for controlling points.

The last station mentioned lies only nineteen miles from the head of Taku Inlet with the headwaters of the Tallsagkway River stretching fifteen miles more to the northeastward, and indicating an undetermined crest-line farther inland.

Thence the broken line boundary follows what may be the crest-line of the mountains to the White and Chilkoot Passes, which mark the water-parting of the streams that flow to the Yukon, and those that reach Taiyá Inlet in a few miles. From the Chilkoot Pass the line runs northwestwardly over peaks of six thousand feet elevation, and crosses the Tahine (Taheéna) by peaks of 6350 and 6200 feet, at twenty-four miles from the deep water head of

Chilkoot Inlet. Within the thirty miles limit is an unnamed peak of 7025 feet that should have been selected. The line crosses the Chilkaht River at twenty-eight miles from the Chilkoot Inlet, and the Clahini (Tklæ-heénae) at "Pleasant Camp" of the Canadian Customs House, thirty miles from the deep water of the Chilkaht Inlet, but only twenty-six miles from the deep water of Chilkoot Inlet; the head of the latter should govern all within the thirty miles range.

Beyond this the broken line follows a series of peaks to Mt. Fairweather, which lies within sixteen miles of the Pacific Ocean, and thence follows the peaks of the Fairweather and Saint Elias ranges to the 141st meridian, except an interval of forty-seven miles across the Allsegh' region, where no surveys or reconnaissances have been made.

So far as the awarded line can be compared with the thirty miles limit of the lisière around the Archipelago Alexander, it appears that about one-third of the area thereof has been allotted to Canada. And following the line backward from north to south, the yielding of important locations has been that across the Chilkaht Valley and its tributaries, that across the Taku River, that across the Stakheen, and the two large islands Wales and Pearse on the west side of the real Portland Channel.

The three rivers mentioned are the routes along which, in time, must lie the highways of travel, and especially on the Chilkaht with its low grade and easy access to an extended plateau region, that stretches hence to the mouth of the Lewes River; and in another direction to the large Lake Klu-ah'-ne, drained by a tributary of the White River into the Yukon. On the Stakheen, the Tribunal surrenders what the early Canadian surveys had laid down as American territory.

The strangest part of the decision is that relating to Portland Inlet and Canal, and we are left in the dark to surmise why such a palpable surrender was made.

We have shown by the narrative and charts of Vancouver what he really considered "Portland's Canal" of seventy and more miles in length. It is one of the largest of the numerous arms he had

found penetrating the Continental shore in the northwest, and it so impressed him that he named it "in honor of the noble family of Bentinck." He entered it with the *Discovery* and *Chatham*; established an observatory at Salmon Cove in Observatory Inlet; and personally made a protracted boat reconnaissance to the head of Portland Canal, passed through the unnamed Pearse Channel, and continued along the continental shore to the north. Upon his return he promptly started for further explorations, and wrote: "The route by which the vessels had advanced to Salmon Cove, being infinitely better for them to pursue towards Cape Caamana, than the intricate channel through which I had passed in the boats we weighed," etc., etc. (Vol. II, page 378.)

Could any words be stronger? "Infinitely better" and "intricate," would indicate the soundest advice he could offer to the future navigator, explorer or geographer. They were to beware of Pearse Channel. Would Vancouver have dared to enter the upper part of the channel by the line laid down by the Tribunal?

The Negotiators of Russia and Great Britain, in 1822-25, certainly understood what Vancouver's charts and narrative meant. Had there been any doubt whether the master channel was to be taken as a boundary line, or an intricate and dangerous channel not easily found nor readily described by words, there would have been some mention of it in the discussions. The Russians demanded every island, channel and inlet between Prince of Wales Island and the continental shore; they were retained, and continued under Russian control until the Emperor of all the Russias ceded them to the United States.

In the "Observations of Russian Plenipotentiaries on Sir C. Bagot's amended Proposal," those negotiators in accordance with the liberal conditions of arbitration proposed by "Count Lieven to Mr. George Canning" under date of "Londres, le 19 (31) Janvier 1823,"\* make this statement:

"Cependant, d'après le principe des convenances mutuelles, le

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\* *Fur Seal Arbitration*, Vol. IV, pages 428 and 397; and referred to by Sir Charles Bagot in his letter to Mr. George Canning from St. Petersburg, March 17 (29), 1824, page 424.

projet d'arrangement des Plenipotentiaires de Russie, laisse ouverts à l'extension successive des Colonies Anglaises :

"I. Toute la partie de la côte située entre l'embouchure du Portland Channel et le 5<sup>e</sup> degré de latitude nord, envisagée comme limite des possessions Russes dans l'Oukase du 4 (16) Septembre, 1821."

Every square mile of land south of the entrance to Portland Channel, was thereby conceded to Great Britain. Her Plenipotentiary knew exactly what Russia retained and what she had yielded.

The Hudson's Bay Company made no claims whatever to the labyrinth of islands and dangers on the western side of the true entrance to Portland Channel. To be as close to Russian territory as practicable, they established their first trading station or post at the entrance to Nasse River that empties into Observatory Inlet. They abandoned that and established another at Fort Simpson near the southeastern point of the entrance to Portland Channel. The Tongass Village was opposite the new location in a sheltered spot on Tongass Island, near what is now decreed to have been British territory;\* but the Company knew to their sorrow that it was in Russian territory. The episode of the *Dryad* affair warned the Company not to put their foot on island or mainland decided to belong to Russia by a Convention that was framed, accepted and settled after years of discussion.

Every chart of this region since Vancouver's time has the name of Portland Canal, Channel or Inlet, marked down the master channel. Brue's map of 1883 draws the boundary line through that Channel from head to entrance, and thence westwardly to Cape Muzon, although the then unnamed Pearse Channel is shown as well as Wales Island.

Sir George Simpson's Parliamentary map of 1857 colored all the

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\* In his narrative, Sir George Simpson describes Fort Simpson and names some of the tribes living "south of the international boundary," and leaves the Russian Indians and the tribes of Kygarnie, Tongass and the Isles des Chamellettes to the north. He estimated the whole number at fourteen thousand souls. This post "lay within the range of the competition of the Russians at Sitka." Pages 122 and 123, Philadelphia edition of his Journey round the World: 1847.

islands as belonging to Russia. He had been on the spot; he had made the leases; and he knew what the Convention of 1825 meant. That knowledge cost the Company an annual rent of two thousand otter skins. On his map he does not even lay down the net work of channels and islands to the westward of the master channel.

The British Admiralty has had no doubts upon the subject up to 1900 in the latest chart published. Through the hydrographic surveys of Richards and Pender, that body was thoroughly posted. In fact Rear Admiral Richards became one of the Lords of the Admiralty.

The navigator or geographer who will examine Admiralty chart No. 2458 of 1900, and the U. S. Coast and Geodetic Survey chart No. 8100 of 1899, without referring to the charts and narrative of Vancouver or the references thereto by the negotiators, must arrive at one conclusion only. The navigator who should choose to take a ship through the Tongass Passage of the Admiralty Chart, and proceed thence through the unnamed and crooked passage under the northwest shore of Wales Island, with its numerous dangers to navigation, and continue through Pearse Channel, one-quarter the width of the throat of the Golden Gate, in preference to Vancouver's Portland Canal, would deservedly lose his command. No Insurance company would accept a risk through such an intricate channel.

At the narrowest part of the Pearse Channel, where the depth of water is thirty-nine fathoms, the tides rise and fall over eighteen feet, with conflicting tidal currents from the northeast, from the southwest, and from the southeast through Wales Passage. It would be no exaggeration to estimate the velocity of those currents at ten knots,—recalling to the navigator the relatively trifling but dreaded dangers of the Seymour Narrows in Discovery Passage, Vancouver Island; (through which we have passed four times).

It has been asserted that the United States, by the decision of the Tribunal has received from Great Britain the islands Sitklan and Kannaghunut, six square miles in extent. Such an arrangement would be equivalent to assuming that Pearse Island, Wales Island, (covering one hundred and twenty-seven square miles),

the two islands mentioned, and Tongass Island were situated east and south of Portland Channel, and that Russia first, and the United States afterward, had been trespassers upon British territory for seventy-eight years. And further that the maintenance of the military post, Fort Tongass, had been an unjustifiable occupation by the United States.

The United States had never the shadow of a doubt about her rights of jurisdiction over the west shore of the Portland Channel of Vancouver, of the Convention of 1825 and of the Treaty of 1867; and therefore in 1896, she significantly made good her claim thereto by building four stone military store houses along its length. The first is situated at Manzanita Cove on the southeast shore of Wales Island. The legend cut in the stone of this and the other buildings is, "U. S. Property. Do not injure," with the date of occupation and assertion on the flagstaff. The second buildings are situated on the southeast shore of Pearse Island at Lizard Point, about seven miles northeast from Wales Passage. The fourth is at Eagle Point in latitude  $55^{\circ} 54\frac{1}{2}'$  near the head of Portland Inlet, where the depth of water is forty fathoms in the channel. The head of deep water in the channel is one mile north of Eagle Point. In each building was left an outfit of stores, tools and cooking utensils; also a United States storm flag, except in No. 4.\*

Great Britain made no protest; we have not heard that Canada made any protest against these acts of sovereignty.

Since 1794 every chart of the Northwest Coast of America issued by American and European governments, has recognized but one Portland Canal. Every geographer and navigator knows of but one. Now after one hundred and ten years the Tribunal of 1903 decrees they were all mistaken; that the second explorer, Vancouver, was mistaken; that the negotiators and governments of 1825 and 1867 were acting under a delusion; that the Hudson's Bay Company had forgotten or overlooked their rights to these surrendered and adjacent islands, and that it was left to this Tribunal to discover a new Portland Channel to be recognized henceforth by

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\* Senate. Document No. 19. 54th Congress, 2d Session. December 14, 1896.

all hydrographic bureaus, all navigators, all geographers and all governments.

The history of this boundary problem reveals the pressure and influence brought to bear upon the government of Great Britain at several important epochs.

In the Convention of 1825, after the prompt acquiescence of Russia to the protests of the United States and Great Britain against the Ukase of 1821, there followed two or three years of controversy about boundaries. The British Government therein became the actual agent of the territory-absorbing Hudson's Bay Company, which presented its nebulous claims to the Northwest Territory; and the Foreign Office proceeded upon the assumption that to obtain certain limited but valuable possessions belonging to Russia, it was the proper policy to make extravagant demands.

During the Crimean war of 1854-55 between Russia and the allied powers of Great Britain, France, Italy and Turkey, the power of the Hudson's Bay Company and the Russian American Company was confessedly strong enough to avert a British attack upon the Alaska possessions of Russia.

In 1885 Secretary of State Bayard wrote to Ambassador Phelps at the Court of St. James, November 20th, and informed him that his attention had been called to the question of laying down the Alaska Boundary, and that President Cleveland was anxious that it should be settled. He therefore suggested that Mr. Phelps should seek consideration of the matter by "the Marquis of Salisbury, and invite an early expression of his views, touching the expediency of appointing an international commission at the earliest practicable day to fix upon a conventional boundary line, which, while in substantial accord with the presumed intent of the negotiators of the Anglo-Russian Convention of 1825, shall be fixed and readily determinable in whole or in part under the ordinary conditions of astronomical and topographical surveys."\*

Ambassador Phelps answered that note on the 13th January, 1886, stating that after an interview on the subject "Lord Salisbury desires, however, before coming to a conclusion to

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\*Senate. Ex. Doc. No. 143. 49th Congress, 2d Session, May 17, 1886.

communicate by mail with the colonial authorities of Canada."

In 1888, it was "held by the Government of Canada, on evidence which they deem sufficient, that no real danger exists of the extermination of the seal fishery in Behring's Sea. They therefore contend that, if the United States are not of that opinion, that Government should make the proposals which they consider necessary for the protection of the species. If, however, the renewal of negotiations is considered expedient by Her Majesty's Government, Canada will agree to that course on the following conditions:" \* \* \* one of which was "that the United States Government shall first abandon any claim to regard the Behring's Sea as a *mare clausum*, and that any existing legislation in the United States, which would seem to support that claim, shall be either amended or repealed."

Well might Mr. Phelps remark to the Tribunal: "If this formed an important chapter in the history of Great Britain, the future historian might inquire which was the Empire and which was the Province."

Subsequently Sir Julian Pauncefote wrote that he "sounded" Secretary of State Blaine on the "Subject of Canada being directly represented in any diplomatic negotiations which might be renewed for the settlement of the controversy. Mr. Blaine at once expressed his absolute objection to such a course. He said the question was one between Great Britain and the United States, and that his Government would certainly refuse to negotiate with the Imperial and Dominion Governments jointly, or with Great Britain, with the condition that the conclusions arrived at should be subject to the approval of Canada."\*

In 1903 Great Britain has been, we are constrained to believe, reluctantly compelled, by political considerations, to put forward on behalf of the Dominion of Canada, what Sir George Simpson could have justly denounced with peculiarly severe application, "the marauder's plea of contiguity."

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\* *Fur Seal Arbitration.* Vol. XV, page 8; Oral Argument of Hon. Edward J. Phelps, June 22, 1893.

Those are five of the epochs where the Government of Great Britain was assuredly acting under constraint.

In the diplomatic controversy with Russia in 1822-1825, Great Britain acquired much to which she had no right whatever, but she lost the key to Southeast Alaska, the natural highway to the interior.

In the present case the United States has surrendered part of the rights which Russia had consistently and persistently refused to yield to Great Britain,—rights which she held unchallenged by any government for forty-two years, and which the United States has held for thirty-six years more.

No wonder that the resultant loss to the United States has already been designated a “sacrifice” by good authority in Washington.

In conclusion. The Award of October 20, 1903, by the Alaska Boundary Tribunal is contrary to the letter and spirit of the Convention of 1825, and in defiance of the intention and understanding of the two Governments then interested.

It may be satisfactory to our Government, but it is not a sound, judicial decision.

That part of the award relating to the Portland Channel is a geographical paradox. Neither chart, arbitration, statute or edict would convince the engineer, the navigator, the geographer, that the Kill van Kull is the channel and highway of the Hudson River; nor will any argument convince the world of geographers that the “intricate” Pearse Channel of the Canadian contentions, is the “infinitely better” PORTLAND’S CANAL of Captain George Vancouver and the Plenipotentiaries of Russia and Great Britain in 1825.

November 30th, 1903.

## APPENDIX.

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Copy of letter from Governor James Douglas to George Davidson.

ENDORSED,

From Sir James Douglas *in re* River  
Chilkaht.  
Rec'd Germantown June 17/68  
Ack'd " June 17/68  
Extracts to Supt. " 17/68

"Vancouver Island  
Victoria 12th May 1868.

" George Davidson Esqre.  
Asst U S Coast Survey  
Washington D C.

"Sir:

I have to acknowledge the receipt of your letter of the 19th Feby. last, in which you state that the Superintendent of the U. S. Coast Survey had it in view, to assign to one of your astronomical parties the duty of observing the physical phenomena of the total Solar eclipse of 7th. Augt 1869, whose path of totality passes over Alasca and British Columbia about 25 miles north of the mouth of Chilcat River and about 50 miles north of the mouth of the Tacow flowing respectively into the head of Lyn Canal and Stevens' passage and you ask for information as to the best means of reaching those points with the stores and astronomical Instruments requisite for any party employed there.

I am sorry to say that the information we possess, about the character of the Rivers and means of travelling in that part of the country are of the most meagre description; neither the Chilcat nor Takow Rivers having ever been made use of, by the Hudsons Bay Company, as routes of communication to and from their inland Posts and the sea coast. In fact the only route, north of Columbia River, resorted to, for that purpose, by the Hudsons Bay Company, is that, which follows Fraser's River and its tributaries, from the sea coast to the Rocky Mountains.

We have thus no positive evidence of the fact, that the Chilcat or Tacow Rivers are either of them generally navigable; on the contrary, I think this may be predicated of them, only for a short distance from the coast, and in craft not larger than Boats or canoes. It is well known that the Natives of these districts, in their periodical migrations from the coast, ascend these Rivers in their ordinary travelling canoes and find no great difficulty in reaching the limit of navigation at about 30 miles from the mouth of the Chilcat, and something more than that distance, probably about 50 miles, from the mouth of the Tacow.

This would give a total navigable distance of between 30 and 50 miles in a general north east direction. The route is then continued by land through a rough hilly country and finally brings the traveller out upon a level plateau beyond the mountain some 60 miles from the sea coast.\*

I cannot report very favorably of the Natives. They constitute a section or branch of a very powerful Tribe and used to be excessively saucy and turbulent, though not dishonest, nor destitute of a rough, generous hospitality. They have probably improved in their manners, since the time I refer to, nearly 20 years ago, as they now keep up a constant intercourse with the white settlements both Russian and British.

The seasons vary in character, but as a rule, the climate on the coast is wet and disagreeable. Storms of wind and rain, are of frequent occurrence early in September. The climate of the level plateau east of the mountains, is reported to be much pleasanter, especially in the month of August when the weather is usually fine and clear.

With respect to transport I would recommend the employment

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\* "The Gulf of Taco is so called from its receiving the river of the same name. This stream, according to Mr. Douglas, who had ascended it for about thirty-five miles, pursued a serpentine course between stupendous mountains, which with the exception of a few points of alluvial soil, rose abruptly from the water's edge with an uninviting surface of snow and ice. In spite of the rapidity of the current, the savages of the coast proceed about a hundred miles in canoes. \*\* They drive a profitable business as middlemen, with the neighboring tribes. \*\* The Taco seven tribes muster about four thousand souls."

*An Overland Journey Round the World* \*\* by Sir George Simpson \*\* Philadelphia, 1847. Page 127.

of canoes manned with Indian crews for the conveyance of the party, as far as the River is navigable, from whence the stores would have to be packed by the same crews, to the observatory wherever that might be established. The packages should not be over 80 lb. in weight, that being about as much as an active Native could manage to carry, over the steep rugged trails of the country.

Men and canoes, in sufficient number for the conveyance of stores, may be brought together from the immediate coast, and I believe at a moderate rate of compensation.

The party should be fully provided with subsistence, for the whole time they are to be out, as the resources of the country are in themselves scanty and precarious.

The Hudsons Bay Company have no person in their service at present who would be of much use to your party, but there is a retired Chief Trader here, a Mr. George Blenkensop, a gentleman of great intelligence and of large experience, having been for many years in charge of the Hudsons Bay Company's Trading Post at Stekine, who would I fancy join the party with alacrity, and you might safely commit to him the entire superintendence of the transport service, and the management of the Indian canoe men, as he thoroughly understands the character of those savages, and would conduct the transport with care and regularity. Should you wish to retain him for that service, it would be advisable to communicate with him direct, and as soon as you conveniently can, or he may be otherwise engaged when you want him.

Regretting that I have nothing connected with the physical geography of the north west coast, of a more precise nature, to lay before you, and with best wishes, for the successful issue of the scientific researches you have in view

I remain

Sir

Your most obt Servt

(Signed) James Douglas."

Mem. The body of the letter and the signature are in the same handwriting. There is not an erasure or a correction in the four folio pages except the word directly has been erased to direct. G. D.

















